



In Reply To:

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Montana State Office
5001 Southgate Drive, P.O. Box 36800
Billings, Montana 59107-6800
<http://www.mt.blm.gov/>



MTM 94038

Notice of Competitive Lease Sale Oil and Gas

January 25, 2005

The Montana State Office is holding a competitive oral sale of Federal lands in the States of Montana, North Dakota and South Dakota for oil and gas leasing. We are attaching a list that includes the parcel numbers, legal land descriptions and corresponding stipulations. The list is available on the Internet at: <http://www.mt.blm.gov/oilgas>.

When and where will the sale take place?

- When:** The competitive sale begins at 9:00 a.m. on Tuesday, January 25, 2005. The sale room opens at 8:00 a.m. for registration and assignment of bidder numbers.
- Where:** We will hold the sale at the Bureau of Land Management, Montana State Office, 5001 Southgate Drive, Billings, Montana. Parking is available.
- Access:** The sale room is accessible to persons with disabilities. If you need a sign language interpreter or materials in an alternate format, please tell us no later than one week before the sale. You may contact Elaine Kaufman at (406) 896-5108 or Joan Seibert at (406) 896-5093.

How do I register as a bidder?

Before the sale starts, you must complete a bidder registration form to obtain a bidding number. The forms are available at the registration desk.

May I participate in a competitive oil and gas lease sale if my acreage holdings exceed the acreage limitations provided under 43 CFR 3101.2?

No. Qualified individuals, associations, or corporations may only participate in a competitive lease sale and purchase Federal oil and gas leases from this office if such purchase will not result in exceeding the State limit of 246,080 acres of public domain lands and 246,080 acres of acquired lands (30 U.S.C. 184(d)). For the purpose of chargeable acreage limitations, you are charged with your proportionate share of the lease acreage holdings of partnerships or corporations in which you own an interest greater than 10 percent. Lease acreage committed to a unit agreement or development contract that you hold, own or control is excluded from chargeability for acreage limitation purposes.

The acreage limitations and certification requirements apply for competitive oil and gas lease sales, noncompetitive lease offers, transfer of interest by assignment of record title or operating rights, and options to acquire interest in leases regardless of whether an individual, association, or corporation has received, under 43 CFR 3101.2-4, additional time to divest excess acreage acquired through merger or acquisition.

What is the sale process?

Starting at 9:00 a.m. on the day of the sale:

- the auctioneer offers the parcels in the order they are shown on the attached list;
- registered bidders make oral bids on a per-acre basis for all acres in a parcel;
- the winning bid is the highest oral bid equal to or exceeding the minimum \$2.00 bid;
- the decision of the auctioneer is final; and
- names of high bidders (lessees) remain confidential until the results list is available.

If a parcel contains fractional acreage, round it up to the next whole acre. For example, a parcel of 100.48 acres requires a minimum bid of \$202 (101 acres x \$2). If the United States owns less than 100 percent of the oil and gas rights in a parcel, we will issue the lease for the percentage of interest the United States owns. You must calculate your bid and advance rental payment on the gross acreage in the parcel. For example, if the U.S. owns 50 percent of the oil and gas in a 100.48 acre parcel, the minimum bid is \$202 (101 acres x \$2) and the advance rental due is \$151.50 (101 acres x \$1.50).

What conditions apply to the lease sale?

- **Parcel withdrawal or sale cancellation:** We reserve the right to withdraw any or all parcels before the sale begins. If we withdraw parcels or cancel a sale, we will post a notice in our Public Records and Information Center and announce the withdrawn parcels at the sale.
- **Lease terms:** Leases issue for a primary term of 10 years. They continue beyond the primary term as long as the lease is producing in paying quantities or receiving production from another source. Rental is \$1.50 per acre for the first 5 years (\$2 per acre after that) until production begins. Once a lease is producing, we charge a royalty of 12.5 percent on the production removed or sold from the lease. You will find other lease terms on our standard lease form (Form 3100-11, June 1988 or later edition).
- **Stipulations:** Some parcels are subject to surface use restrictions or conditions affecting how you conduct operations on the lands. The stipulations become part of the lease and replace any inconsistent provisions of the lease form.
- **Bid form:** On the day of the sale, successful bidders must submit a properly completed lease bid form (Form 3000-2, October 1989 or later edition) along with their payment. The bid form is a legally binding offer to accept a lease and all its terms and conditions. When the prospective lessee or an authorized representative signs the bid form, they certify the lessee meets the conditions of 43 CFR 3102.5-2 and complies with 18 U.S.C. 1860, a law that prohibits unlawful combinations, intimidation of bidders, and collusion among bidders. You cannot withdraw your bid.
- **Payment:**
 - **minimum due by 4:00 p.m. on day of sale:**
 - Bonus bid deposit of \$2.00 per acre or fraction thereof;
 - First year's rent of \$1.50 per acre or fraction thereof except for future interest parcels; and
 - \$75 nonrefundable administrative fee
 - **remaining balance due by 4:00 p.m. February 8, 2005**

If you don't pay in full by this date, you lose the right to the lease and all the money you paid the day of the sale. We may offer the parcel in a future sale.

● **Method of payment:** You can pay by:

- personal check;
- cashier's check;
- money order; or
- credit card (Visa, Mastercard, American Express or Discover).

Effective February 1, 2005, there is a \$100,000 credit card limit that we can accept.

Make checks payable to: **Department of the Interior-BLM.** We do not accept cash. If you previously paid us with a check backed by insufficient funds, we will require a guaranteed payment, such as a cashier's check.

- **Lease issuance:** After we receive the bid forms and all monies due, we can issue the lease. The lease effective date is the first day of the month following the month we sign it. We can make the lease effective the first day of the month in which we sign it, if you ask us in writing before we sign the lease.

How can I find out the results of this sale?

We post the sale results in our Public Records and Information Center and the Internet at: <http://www.mt.blm.gov/oilgas>. You can buy a \$5/\$10 printed copy of the results list from the Public Records and Information Center.

How do I file a noncompetitive offer after the sale?

Lands that do not receive a bid and are not subject to a pre-sale offer are available for a two-year period beginning the day after the sale. To file a noncompetitive offer, you must submit:

- three copies of standard lease form (Form 3100-11, June 1988 or later edition) with lands described as specified in our regulations at 43 CFR 3110.5;
- \$75 nonrefundable administrative fee; and
- first year's advance rental (\$1.50 per acre or fraction thereof)

Place offers filed on the day of the sale and the first business day after the sale in the drop box in the Public Records and Information Center. We consider these offers simultaneously filed. When a parcel receives more than one filing by 4 p.m. on the day after the sale, we will hold a drawing to determine the winner. Offers filed after this time period, receive priority according to the date and time of filing in this office.

How do I file a noncompetitive pre-sale offer?

Under our regulations at 43 CFR 3110.1(a), you may file a noncompetitive pre-sale offer for lands that:

- are available; and
- have not been under lease during the previous one-year period; or
- have not been in a competitive lease sale within the previous two-year period.

Once we post a competitive sale notice, you cannot file a pre-sale offer for lands shown on the notice.

To file a pre-sale offer, you must submit:

- three copies of standard lease form (Form 3100-11, June 1988 or later edition) with lands described as specified in our regulations at 43 CFR 3110.5;
- \$75 nonrefundable administrative fee; and

- first year's advance rental (\$1.50 per acre or fraction thereof)

If we don't receive a bid at the sale for the parcel(s) contained in your pre-sale offer, we will issue the lease. You can withdraw your offer prior to the date we sign your lease. Your pre-sale offer is your consent to the terms and conditions of the lease, including any additional stipulations advertised in the Competitive Sale Notice.

Where can I obtain information pertaining to the individual Forest Service Stipulations?

The applicable Forest Service Environmental Impact Studies (EIS) describe stipulations for parcels located within the administrative boundary of the Forest Service units. The Geographic Information System (GIS) maps of the stipulations may be viewed at the following Forest Service offices:

- The individual District Ranger's Office identified in the stipulation listing included with this sale notice,
or
- The individual Forest Supervisor's Office identified in the stipulation listing included with this sale notice,
or
- Forest Service, Region One Office, 200 East Broadway, Missoula, Montana

May I protest BLM's decision to offer the lands in this Notice for lease?

If you are adversely affected by our decision to offer the lands in this Notice for lease, you may protest the decision to the State Director under regulation 43 CFR 3120.1-3. You must file your protest by 4:00 p.m. the day before the sale. **You may not submit your protest electronically via email.**

If BLM receives a timely protest of a parcel advertised on this Sale Notice, how does it affect the parcel?

We will announce receipt of any protests at the beginning of the sale. We will also announce a decision to either withdraw the parcel or proceed with offering it at the sale.

If I am the high bidder at the sale for a protested parcel, when will BLM issue my lease?

We will suspend lease issuance until the protest is resolved.

If I am the successful bidder of a protested parcel, may I withdraw my offer and receive a refund of my first year's rental and bonus bid?

No. You may not withdraw your offer.

How does an untimely protest affect my competitive offer?

We will dismiss untimely protests. We will not allow you to withdraw your offer.

If BLM upholds the protest, how does that affect my competitive offer?

If we uphold a protest and withdraw the parcel from leasing, we will refund your first year's rental and bonus bid.

If the decision upholding the protest results in additional stipulations, we will offer you an opportunity to agree with the additional stipulations prior to lease issuance. If you do not agree to the additional stipulations and wish to withdraw your offer, we will refund your first year's rental and bonus bid.

May I withdraw my offer if the protestor files an appeal?

No. If the protestor appeals our decision, you may not withdraw your offer.

If resolution of the appeal results in lease cancellation, we will authorize refund of the bonus bid and rentals if there is no evidence that the lessee(s) derived any benefit from possession of the lease during the time they held it and no indication of bad faith or other reasons not to refund the rental and bonus bid.

How do I nominate lands for future sales?

- file a letter with this office describing the lands you want put up for sale;
- file a pre-sale offer

Who should I contact if I have a question?

For more information, contact Tessie Vaughn at (406) 896-5091.

When is the next competitive oil and gas lease sale scheduled in Montana?

We are tentatively holding our next competitive sale on March 29, 2005.

Karen L. Johnson, Chief
Fluids Adjudication Section

OFFICIAL POSTING DATE MUST BE ON OR BEFORE December 10, 2004

The official posting date will be noted on the copy posted in the Information Access Center of the Bureau of Land Management, Billings, Montana.

PUBLIC NOTICE

Any noncompetitive offers received for lands that are listed on the Notice from the time the list is officially posted in the Montana State Office Public Room until the first business day following the completion of the sale will be rejected as unavailable for filing per 43 CFR 3110.1(a)(ii).

THE FOLLOWING NOTICE WILL BE ATTACHED TO ALL ISSUED LEASES

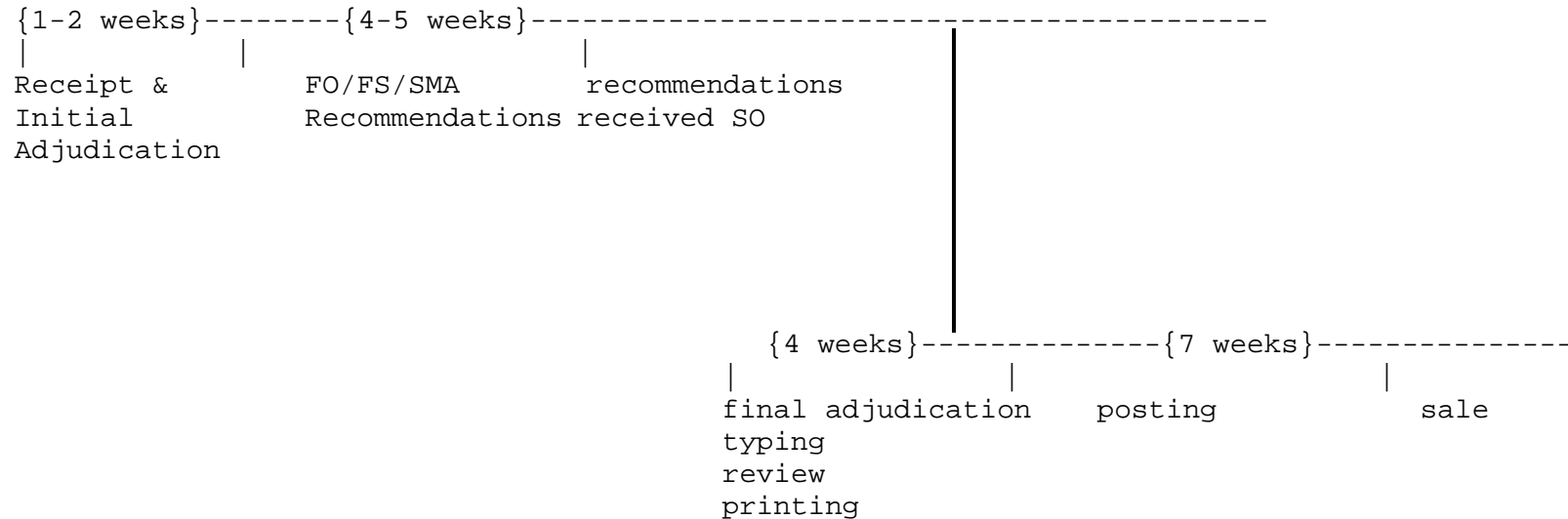
NOTICE TO LESSEE

Provisions of the Mineral Leasing Act (MLA) of 1920, as amended by the Federal Coal Leasing Amendments Act of 1976, affect an entity's qualifications to obtain an oil and gas lease. Section 2(a)(2)(A) of the MLA, 30 U.S.C. 201(a)(2)(A), requires that any entity that holds and has held a Federal coal lease for 10 years beginning on or after August 4, 1976, and who is not producing coal in commercial quantities from each such lease, cannot qualify for the issuance of any other lease granted under the MLA. Compliance by coal lessees with Section 2(a)(2)(A) is explained in 43 CFR 3472.

In accordance with the terms of this oil and gas lease with respect to compliance by the initial lessee with qualifications concerning Federal coal lease holdings, all assignees and transferees are hereby notified that this oil and gas lease is subject to cancellation if: (1) the initial lessee as assignor or as transferor has falsely certified compliance with Section 2(a)(2)(A) or (2) because of a denial or disapproval by a State Office of a pending coal action, i.e., arms-length assignment, relinquishment, or logical mining unit, the initial lessee as assignor or as transferor is no longer in compliance with Section 2(a)(2)(A). The assignee or transferee does not qualify as a bona fide purchaser and, thus, has no rights to bona fide purchaser protection in the event of cancellation of this lease due to noncompliance with Section 2(a)(2)(A).

Information regarding assignor or transferor compliance with Section 2(a)(2)(A) is contained in the lease case file as well as in other Bureau of Land Management records available through the State Office issuing this lease.

**TIMELINE TO PROCESS EXPRESSIONS OF INTEREST (EOI)
OR PRESALE OFFERS**



**Total time required to process EOI/Offer
4-5 months {16-18 weeks}**

SMA-Surface Management Agency
 ie: Forest Service, Bureau of Reclamation
 FO-BLM Field Office FS-BLM Field Office
 SO-Mon

ALL LANDS ARE LISTED IN TOWNSHIP AND RANGE ORDER

MONTANA

01-05-01

T. 25 N, R. 1 E, PMM, MT PD
 Sec 8 NE,NESW,N2SE,SESE;
 Teton 320.00 AC
 Stipulations: Cultural Resources,
 Standard, TES

01-05-02

T. 11 N, R. 26 E, PMM, MT ACQ
 Sec 9 N2;
 10 E2NE,SENE,NESW,S2SW;
 11 SWNW,W2SW;
 15 W2;
 Musselshell 1000.00 AC
 Stipulations: CSU-5, Cultural
 Resources, TES, Timing-1,2

01-05-03

T. 27 N, R. 51 E, PMM, MT PD
 Sec 18 LOTS 1,2,3,5;
 Richland 73.89 AC
 Stipulations: NSO-1, TES

01-05-04

T. 35 N, R. 51 E, PMM, MT PD
 Sec 2 LOT 1;
 2 SENE;
 10 NESE;
 11 NWSW,SWSE;
 13 W2SW;
 14 N2NE,W2NW,SENE,S2;
 15 NE,NENW,NESE;
 22 NW;
 Sheridan 1200.31 AC
 Stipulations: TES, Timing-2

01-05-05

T. 35 N, R. 51 E, PMM, MT PD
 Sec 10 W2E2 EXCL AC FOR
 RR ROW;
 11 E2NW EXCL AC FOR
 RR ROW;
 Sheridan Approx. 240.00 AC
 Stipulations: TES, Timing-2

01-05-06

T. 27 N, R. 52 E, PMM, MT PD
 Sec 13 LOTS 1,2;
 13 NESE,S2SE;
 Richland 162.19 AC
 Stipulations: CSU-1,2
 Lease Notice-1, NSO-1,2, TES,
 Timing-2

01-05-07

T. 27 N, R. 52 E, PMM, MT PD
 Sec 24 E2,E2NW,SW;
 25 W2E2,W2;
 26 NE,S2;
 Richland 1520.00 AC
 Stipulations: CSU-1,3, TES,
 Timing-2

01-05-08

T. 35 N, R. 52 E, PMM, MT PD
 Sec 17 W2SE,SESE;
 19 NESW,N2SE;
 20 W2NW,N2SW,SWSE;
 29 SENW;
 Sheridan 480.00 AC
 Stipulations: TES, Timing-2

01-05-09

T. 27 N, R. 53 E, PMM, MT PD
 Sec 31 SWNE,NWSE;
 Richland 80.00 AC
 Stipulations: TES, Timing-2

01-05-10

T. 26 N, R. 54 E, PMM, MT PD
 Sec 5 LOT 1;
 6 LOT 2;
 Richland 84.78 AC
 Stipulations: NSO-1, TES, Timing-2

EXPLANATION 1/, 2/, 3/, SEE PAGE 13

01-05-11

T. 27 N, R. 54 E, PMM, MT PD
 Sec 7 LOTS 2,3,4;
 7 E2SW;
 8 E2SW,SE;
 9 LOTS 5,6;
 9 S2;
 17 NE,E2NW,SWNW;
 18 LOT 3;

Richland 1111.63 AC
 Stipulations: CSU-1,3, TES,
 Timing-2

01-05-12

T. 27 N, R. 54 E, PMM, MT PD
 Sec 20 NWSW;
 21 E2,E2NW;
 29 W2NE,NENW,S2;
 32 NWNE,N2NW;

Richland 1000.00 AC
 Stipulations: CSU-1,3, TES,
 Timing-2

01-05-13

T. 27 N, R. 54 E, PMM, MT PD
 Sec 22 ALL;
 23 SENE,W2,E2SE;
 24 ALL;

Richland 1720.00 AC
 Stipulations: CSU-1, TES, Timing-2

01-05-14

T. 27 N, R. 55 E, PMM, MT PD
 Sec 18 LOTS 1,2,3,4;
 18 W2NE,E2W2,NWSE;
 19 LOTS 1,2,3,4;
 19 SENE,W2E2,E2W2;
 20 E2SW,SE;

Richland 1175.92 AC
 Stipulations: CSU-1,3, TES,
 Timing-2

01-05-15

T. 13 N, R. 56 E, PMM, MT PD
 Sec 17 NE,N2NW,SE,SE,
 SESE;
 18 NENE;

Dawson 440.00 AC
 Stipulations: TES, Timing-1,2

01-05-16

T. 22 N, R. 56 E, PMM PD
 Sec 6 NESW;
 Richland 40.00 AC
 Stipulation: TES

01-05-17

T. 22 N, R. 58 E, PMM, MT ACQ
 Sec 13 IRRIGATION CANAL
 AND/OR LATERAL DESC BY
 M&B (32.48 AC); 3/
 23 IRRIGATION CANAL
 AND/OR LATERAL DESC BY
 M&B (35.05 AC); 3/
 24 IRRIGATION CANAL
 AND/OR LATERAL DESC BY
 M&B (5.30 AC); 3/
 25 TRACTS 1 thru 7,9,10,
 11 IN IRRIGATION CANAL
 AND/OR LATERAL DESC BY
 M&B (36.30 AC); 3/
 35 IRRIGATION CANAL
 AND/OR LATERAL IN N2
 (12.92 AC); 3/

Richland 122.05 AC
 Stipulations: BOR GP-135,
 Form 3109-1, NSO-1, TES

01-05-18

T. 27 N, R. 58 E, PMM, MT PD
 Sec 19 LOTS 1,2;
 19 NENE;
 20 NWNW;

Roosevelt 152.46 AC
 Stipulations: CSU-1, TES

01-05-19

T. 22 N, R. 59 E, PMM, MT ACQ
 Sec 3 IRRIGATION CANAL IN
 SENE DESC BY M&B (TR 1)
 (2.04 AC); 3/
 3 IRRIGATION CANAL IN SW
 DESC BY M&B (TR 2)
 (5.63 AC); 3/
 3 IRRIGATION CANAL IN
 NESE DESC BY M&B (TR 3)
 (1.32 AC); 3/
 3 IRRIGATION CANAL IN
 NWSE DESC BY M&B (TR 4)
 (2.04 AC); 3/
 5 IRRIGATION CANAL DESC
 BY M&B (TRS 1-10)
 (23.21 AC); 3/
 7 IRRIGATION CANAL DESC
 BY M&B (TRS 1-5)
 (41.10 AC); 3/
 9 IRRIGATION CANAL IN
 N2SW DESC BY M&B
 (TR 1) (4.90 AC); 3/
 17 IRRIGATION CANAL IN
 NWNW DESC BY M&B (TR 1)
 (2.10 AC); 3/
 18 IRRIGATION CANAL DESC
 BY M&B (TRS 1-2)
 (2.34 AC); 3/
 19 IRRIGATION CANAL DESC
 BY M&B (TR 1)
 (11.60 AC); 3/
 19 IRRIGATION CANAL DESC
 BY M&B (TRS 2,3,4)
 (5.88 AC); 3/
 30 IRRIGATION CANAL DESC
 BY M&B (TRS 1-4)
 (7.10 AC); 3/
 31 IRRIGATION CANAL DESC
 BY M&B (TRS 1-5)
 (16.55 AC); 3/

Richland 125.81 AC
 Stipulations: BOR GP-135,
 Form 3109-1, NSO-1, TES

01-05-20

T. 8 S, R. 60 E, PMM, MT PD
 Sec 22 NWNW,S2N2,S2;
 27 NE,N2NW,N2SE;
 35 W2SW,SESE;
 Carter 960.00 AC
 Stipulations: CSU-3, TES, Timing-2

01-05-21

T. 9 S, R. 60 E, PMM, MT PD
 Sec 21 E2;
 22 W2E2,W2;
 26 NENE,N2NW,SEW;
 27 NENE,SWNE,W2W2,W2SE;
 Carter 1280.00 AC
 Stipulations: NSO-1, TES

01-05-22

T. 9 S, R. 61 E, PMM, MT PD
 Sec 2 SWNE,SEW,S2;
 3 W2NE,NW,S2;
 10 ALL;
 11 ALL;
 Carter 2240.00 AC
 Stipulations: CSU-1,3, TES,
 Timing-2

01-05-23

T. 9 S, R. 61 E, PMM, MT PD
 Sec 12 ALL;
 13 ALL;
 14 ALL;
 Carter 1920.00 AC
 Stipulations: CSU-1,3, TES,
 Timing-2

01-05-24

T. 9 S, R. 61 E, PMM, MT PD
 Sec 17 N2,NESW,SE;
 18 LOTS 1,2,3,4;
 18 NWSE,S2SE;
 19 LOTS 1,2,3,4;
 19 E2;
 20 W2NW,SW,S2SE;
 Carter 1488.76 AC
 Stipulations: TES, Timing-2

NORTH DAKOTA**01-05-25**

T. 154 N, R. 93 W, 5TH PM, ND PD
 Sec 30 NWNE;
 31 SESE;
 Mountrail 80.00 AC
 Stipulations: CSU-4, Cultural
 Resources, NSO-3, Standard, TES,
 Timing-3

01-05-26

T. 157 N, R. 93 W, 5TH PM, ND ACQ
 Sec 25 E2;
 Mountrail 320.00 AC
U.S. MINERAL INTEREST 50% 1/
 Stipulations: CSU-4, NSO-3,
 Standard, TES, Timing-3

01-05-27

T. 158 N, R. 93 W, 5TH PM, ND ACQ
 Sec 5 SW;
 6 LOTS 4,5;
 11 SW;
 14 N2NW;
 17 E2E2,SWSW;
 18 SESE;
 20 W2NW;

Mountrail 795.32 AC

U.S. MINERAL INTEREST 50% 1/
 Stipulations: CSU-4, Cultural
 Resources, Lease Notice-2, NSO-3,
 Standard, TES, Timing-3

01-05-28

T. 154 N, R. 95 W, 5th PM, ND ACQ
 Sec 35 NE EXCL 5.13 AC IN SWNE
 FOR RR ROW;
 35 NW,N2NESW,N2N2SE;
 36 LOTS 1,2;
 36 S2NE,NW,N2NWSW;

McKenzie 703.67 AC
 Stipulations: COE Stipulation on
 Army-Controlled Real Property,
 COE Information Notice, Cultural
 Resources, Form 3109-2, NSO-4,
 Standard, TES

01-05-29

T. 149 N, R. 98 W, 5TH PM, ND PD
 Sec 25 E2E2;
 McKenzie 160.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2, 16-1, 18a

01-05-30

T. 141 N, R. 100 W, 5th PM, ND ACQ
 Sec 22 NESE,S2SE;
 26 NE,N2NW,SENW,N2S2;
 Billings 560.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2, 15-1, 16-1, 18a

01-05-31

T. 141 N, R. 100 W, 5th PM, ND PD
 Sec 26 S2S2;
 Billings 160.00 AC
 Stipulations: R1-FS-2820-14-1,2,
 16-1,2,3, TES (BLM)
SPLIT ESTATE 2/

01-05-32

T. 142 N, R. 100 W, 5th PM, ND ACQ
 Sec 4 LOTS 3,4;
 4 S2NW;
 Billings 160.28 AC
50% U.S. MINERAL INTEREST 1/
 Stipulations: R1-FS-2820-16-1,2,
 TES, (BLM)
SPLIT ESTATE 2/

01-05-33

T. 142 N, R. 100 W, 5th PM, ND PD
 Sec 8 E2;
 Billings 320.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1, 16-1, 18a

01-05-34

T. 142 N, R. 100 W, 5TH PM, ND ACQ
 Sec 9 W2;
 Billings 320.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1, 16-1, 18a

01-05-35

T. 142 N, R. 100 W, 5th PM, ND ACQ
 Sec 12 E2;
 Billings 320.00 AC
 Stipulations: R1-FS-2820-13d,
 16-1, 18a

01-05-36

T. 142 N, R. 100 W, 5th PM, ND ACQ
 Sec 14 E2E2;
 24 NW;
 Billings 320.00 AC
 Stipulations: R1-FS-2820-13d, 18a

01-05-37

T. 144 N, R. 100 W, 5TH PM, ND ACQ
 Sec 20 N2;
 Billings 320.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1, 16-1,3, 18a, 22c

01-05-38

T. 144 N, R. 100 W, 5th PM, ND PD
 Sec 26 NE,NWSE,S2SE;
 Billings 280.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1, 15-1, 16-1, 18a, 22c

01-05-39

T. 141 N, R. 101 W, 5TH PM, ND ACQ
 Sec 11 SWNW;
 Billings 40.00 AC
 Stipulations: R1-FS-2820-13d,
 16-1,3, 18a

This parcel is located within the T.R. Madison Unit, designated as unleased Tract 13B. All proceeds attributed to these lands have been placed in an escrow account held by the unit operator. These lands were committed to the unit, at the time of approval by the authorized officer. Joinder is not required.

01-05-40

T. 141 N, R. 101 W, 5TH PM, ND PD
 Sec 14 NE;
 Billings 160.00 AC
 Stipulations: R1-FS-2820-14-1,
 16-1,2,3, TES (BLM)

SPLIT ESTATE 2/

This parcel is located within the T.R. Madison Unit, designated as unleased Tract 16. All proceeds attributed to these lands have been placed in an escrow account held by the unit operator. These lands were committed to the unit, at the time of approval by the authorized officer. Joinder is not required.

01-05-41

T. 141 N, R. 101 W, 5th PM, ND PD
 Sec 14 N2NW,SENW;
 Billings 120.00 AC
 Stipulations: R1-FS-2820-14-1,
 16-1,2,3, TES (BLM)

SPLIT ESTATE 2/

This parcel is located within the T.R. Madison Unit, designated as unleased Tract 17A. All proceeds attributed to these lands have been placed in an escrow account held by the unit operator. These lands were committed to the unit, at the time of approval by the authorized officer. Joinder is not required.

01-05-42

T. 141 N, R. 101 W, 5th PM, ND PD
 Sec 18 SESE;
 Billings 40.00 AC
 Stipulations: R1-FS-2820-14-1,3,
 16-2,4, TES (BLM)

SPLIT ESTATE 2/**01-05-43**

T. 142 N, R. 101 W, 5th PM, ND ACQ
 Sec 1 NESW,S2SW,SE;
 10 NESW,S2SW,SE;
 22 NE;

Billings 720.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2,4, 15-1, 16-1,4, 18a, 22c

01-05-44

T. 142 N, R. 101 W, 5th PM, ND PD
 Sec 2 SWNW,SW,NESE,S2SE;
 10 N2N2,SENE,S2NW,NWSW;
 12 NW;
 Billings 800.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1,4, 15-1, 16-1,4, 18a

01-05-45

T. 142 N, R. 101 W, 5th PM, ND PD
 Sec 4 LOTS 1,2,3,4;
 4 S2N2;
 8 ALL;
 18 LOT 1;
 18 NENW;

Billings 1039.45 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2,4, 15-1, 16-1,3,4, 18a

01-05-46

T. 142 N, R. 101 W, 5th PM, ND PD
 Sec 18 NE,N2SE;
 22 SE;

Billings 400.00 AC
 Stipulations: R1-FS-2820-14-1,2,
 16-1,2,3, TES (BLM)

SPLIT ESTATE 2/**01-05-47**

T. 142 N, R. 101 W, 5th PM, ND PD
 Sec 20 E2E2,W2NW,SWSW,SWSE;
 30 LOTS 1,2,3,4;
 30 N2NE,E2NW;
 30 BED LTL MO RVR RIPAR
 TO LOT 4 DESC BY M&B
 (1.26AC); 3/

Billings 626.19 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2,3, 16-1,3,4, 18a, 22c

01-05-48

T. 142 N, R. 101 W, 5th PM, ND PD
 Sec 22 W2;
 28 W2;
 34 ALL;

Billings 1280.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2,5, 15-1, 16-1,3, 18a, 22c

01-05-49

T. 142 N, R. 101 W, 5th PM, ND ACQ
 Sec 28 NE;
 29 ALL;
 30 SWNE;

Billings 840.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2, 16-1,3, 18a, 22c

01-05-50

T. 142 N, R. 101 W, 5th PM, ND ACQ
 Sec 32 N2,N2SW,SESW,SE;
 33 ALL;

Billings 1240.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2,5, 16-1,3, 18a, 22b

01-05-51

T. 146 N, R. 101 W, 5TH PM, ND PD
 Sec 4 LOTS 3,4;
 4 SWNE,S2NW,SW,NWSE,S2SE;
 10 SE;
 14 SWNW;
 20 ALL;
 26 ALL;
 28 N2;

McKenzie 2271.96 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2, 15-1,2,3, 16-1,3,5, 18a

01-05-52

T. 146 N, R. 101 W, 5th PM, ND PD
 Sec 6 LOTS 1,2,3,4,7;

McKenzie 180.36 AC
 Stipulations: R1-FS-2820-13d,14-1,
 15-1,2, 16-1,3,5, 18a

01-05-53

T. 146 N, R. 101 W, 5TH PM, ND PD
 Sec 8 W2;
 18 LOTS 1,2,3,4;
 18 E2,E2W2;

McKenzie 957.60 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2, 15-1,2,3, 16-1,3,5, 18a

01-05-54

T. 146 N, R. 101 W, 5TH PM, ND ACQ
 Sec. 10 SW;
 24 E2;
 28 S2;

McKenzie 800.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1, 15-1,2,3, 16-1,3,5, 18a

01-05-55

T. 141 N, R. 102 W, 5th PM, ND ACQ
 Sec 1 LOTS 1-7 INCL;
 1 BED LTL MO RVR RIPAR
 TO LOTS 1,2,5,6,7 DESC
 BY M&B; (30.05 AC); 3/
 1 S2NW,NWSE,S2SE;
 12 E2;

Billings 803.39 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2,3, 15-2, 16-1,3,4,5, 18a

01-05-56

T. 141 N, R. 102 W, 5TH PM, ND PD
 Sec 4 LOTS 1,4;
 4 SENE,SWNW,W2SW,E2SE;
 8 N2NW,SWNW,SWSW,SE;
 18 LOTS 1,2;
 18 N2NE,E2NW,E2SE;

Billings 960.56 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2, 15-2, 16-1,3,5,
 18a, 22c

01-05-57

T. 141 N, R. 102 W, 5th PM, ND ACQ
 Sec 4 LOTS 2,3;
 4 SWNE,SENW,E2SW,W2SE;
 5 LOTS 1,2,3,4;
 5 S2N2,S2;
 7 LOTS 1,2,3,4;
 7 E2,E2W2;
 8 NE,SENW,N2SW,SESW;

Billings 1920.24 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2, 15-2, 16-1,5, 18a, 22c

01-05-58

T. 141 N, R. 102 W, 5th PM, ND ACQ
 Sec 10 N2N2;
 11 ALL;
 15 ALL;

Billings 1440.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1,5,6, 15-2,4, 16-1,3,4,5,
 18a, 22c

01-05-59

T. 141 N, R. 102 W, 5th PM, ND PD
 Sec 10 S2S2;
 14 SWNW,N2SW,NWSE;

Billings 320.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1,6, 16-1,4, 18a, 22b

01-05-60

T. 141 N, R. 102 W, 5TH PM, ND ACQ
 Sec. 32 SESE;
 33 W2;

Billings 360.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1, 16-1,3, 18a

01-05-61

T. 142 N, R. 102 W, 5th PM, ND PD
 Sec 2 LOT 11;
 2 BED LTL MO RVR RIPAR
 TO LOT 11 DESC BY M&B
 (6.004 AC); 3/
 20 E2NE,W2NW;

Billings 187.194 AC
 Stipulations: R1-FS-2820-14-1,3,
 15-3, 16-1,2,3,4, TES (BLM)
SPLIT ESTATE 2/

01-05-62

T. 142 N, R. 102 W, 5th PM, ND ACQ
 Sec 23 Lots 8,9,11,12;
 23 BED LTL MO RVR RIPAR TO
 LOTS 8,9,11,12 DESC BY
 M&B (16.89 AC); 3/

Billings 172.34 AC
 Stipulations: R1-FS-2820-14-1,3,
 15-2,3, 16-1,2,3,4,5, TES (BLM)
SPLIT ESTATE 2/

01-05-63

T. 142 N, R. 102 W, 5TH PM, ND PD
 Sec 24 SESE;
 Billings 40.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1, 16-1,3, 18a

01-05-64

T. 142 N, R. 102 W, 5th PM, ND ACQ
 Sec 30 LOT 1;
 30 NWNE,E2NW,NESW,N2SE;
 SESE;

Billings 319.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2, 15-3, 16-1, 18a, 22c

01-05-65

T. 143 N, R. 102 W, 5th PM, ND ACQ
 Sec. 7 LOTS 3,4;
 7 E2SW;

Billings 149.64 AC
 Stipulations: R1-FS-2820-13d,
 14-1, 15-2, 16-1,3,5, 18a

01-05-66

T. 143 N, R. 102 W, 5th PM, ND PD
 Sec 8 LOTS 2,5,6,8;
 8 NWNE,NW,W2SW;
 26 LOT 7;
 28 W2;

Billings 775.30 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2,3, 15-2, 16-1,2,3,4,5,
 18a, TES (BLM)

SPLIT ESTATE 2/**01-05-67**

T. 143 N, R. 102 W, 5th PM, ND PD
 Sec 18 LOTS 1,2,3,4;
 18 E2,E2W2;

Billings 621.12 AC
 Stipulations: R1-FS-2820-13d,
 14-1, 15-2, 16-1,3,5, 18a

01-05-68

T. 143 N, R. 102 W, 5TH PM, ND ACQ
 Sec 22 LOTS 4,6,7,8;
 22 BED LTL MO RVR RIPAR TO
 LOTS 4,6,7,8 DESC BY
 M&B (35.45 AC); 3/
 22 NWSW;

Billings 230.65 AC
 Stipulations: R1-FS-2820-13d,
 14-1,3, 16-1,2,3,4, 18a,
 TES (BLM)

SPLIT ESTATE 2/**01-05-69**

T. 153 N, R. 102 W, 5th PM, ND ACQ
 Sec 19 LOTS 5,8;
 19 POR LOTS 1,4,NWNE

WHICH LIE
 SOUTHEASTERLY OF;
 GREAT NORTHERN RR ROW
 (40.12 AC); 3/

19 UNSURVEYED LANDS
 ACCRETED TO LOTS
 1,4,5,8 TOGETHER WITH
 BED OF LAKE TRENTON
 RIPAR TO SAID LOTS
 DESC BY M&B SHOWN ON
 EXHIBIT A (97.853 AC);
3/

Williams 193.273 AC
 Stipulations: COE Stipulation
 On Army-Controlled Real Property,
 COE Information Notice, Cultural
 Resources, Form 3109-2, NSO-4,5,
 Standard, TES

01-05-70

T. 150 N, R. 103 W, 5th PM, ND ACQ
 Sec 10 NENE,S2N2,S2;
 11 SENE,W2NW,S2;
 12 W2W2;

McKenzie 1120.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2, 15-5, 16-1,6, 18a

01-05-71

T. 150 N, R. 103 W, 5th PM, ND PD
 Sec 11 N2NE,SWNE,E2NW;

McKenzie 200.00 AC
 Stipulations: R1-FS-2820-13d,
 15-5, 16-1,6, 18a

01-05-72

T. 150 N, R. 103 W, 5th PM, ND ACQ
 Sec 27 ALL;

McKenzie 640.00 AC
 Stipulations: R1-FS-2820-13d,
 15-1,5, 16-6, 18a, 22c

01-05-73

T. 150 N, R. 103 W, 5TH PM, ND ACQ
 Sec 35 ALL;

McKenzie 640.00 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2, 15-1,5, 16-1,6, 18a, 22c

01-05-74

T. 145 N, R. 104 W, 5TH PM, ND ACQ
 Sec 3 LOTS 1,2,3,4;
 3 S2N2,S2;
 10 N2NE;
 14 N2,SE;

McKenzie 1198.48 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2,7, 15-1, 16-1, 18a

01-05-75

T. 145 N, R. 104 W, 5TH PM, ND ACQ
 Sec 22 W2;
 23 ALL;
 34 E2;
 35 ALL;

McKenzie 1920.00 AC
 Stipulations: R1-FS-2820-13d,
 14-2,7, 15-1, 16-1, 18a

01-05-76

T. 150 N, R. 104 W, 5TH PM, ND ACQ
 Sec 15 S2S2;

McKenzie 160.00 AC
 Stipulations: R1-FS-2820-16-2,
 TES (BLM)

SPLIT ESTATE 2/

01-05-77

T. 150 N, R. 104 W, 5TH PM, ND ACQ
 Sec 23 LOTS 1,7,8;
 23 NE,NESE;
 24 LOTS 2-7 INCL;
 24 N2,N2S2;

McKenzie 847.12 AC
 Stipulations: R1-FS-2820-13d,
 14-1,2, 15-1,5, 16-1,6, 18a

01-05-78

T. 147 N, R. 105 W, 5TH PM, ND ACQ
 Sec 2 LOTS 1,2,3,4;
 2 S2N2,SW;
 3 LOTS 1-5 INCL;
 3 SENE,E2SE;
 11 ALL;
 12 W2;

McKenzie 1792.14 AC
 Stipulations: R1-FS-2820-13d,
 14-1, 16-1, 18a

01-05-79

T. 148 N, R. 105 W, 5TH PM, ND ACQ
 Sec 23 NENW,E2SW;

McKenzie 120.00 AC
 Stipulations: R1-FS-2820-13d,
 16-2, TES (BLM)

SPLIT ESTATE 2/

01-05-80

T. 148 N, R. 105 W, 5TH PM, ND ACQ
 Sec 27 LOTS 1,2,3,4;

McKenzie 181.12 AC
 Stipulations: R1-FS-2820-14-1,
 TES (BLM)

SPLIT ESTATE 2/

SOUTH DAKOTA**01-05-81**

T. 19 N, R. 1 E, BHM, SD PD
 Sec 15 NWNW;

Harding 40.00 AC
 Stipulations: Cultural
 Resources, Lease Notice-1, TES,
 Timing-1

01-05-82

T. 6 N, R. 25 E, BHM, SD ACQ
 Sec 23 NE EXCL 1.00 AC FOR
 SCHOOL;

Stanley 159.00 AC
50% U.S. MINERAL INTEREST 1/
 Stipulations: Cultural
 Resources, Lease Notice-1, TES

01-05-83

T. 8 N, R. 25 E, BHM, SD PD
 Sec 1 LOTS 1,2,3,4;

1 S2N2,S2;
 2 LOTS 1,2,3,4;
 2 S2N2,S2;
 3 LOTS 1,2,3,4;
 3 S2N2;
 4 LOTS 1,2,3,4;
 4 S2N2,S2;

Stanley 2171.22 AC
 Stipulations: CSU-1, Cultural
 Resources, Lease Notice-1, TES

01-05-84

T. 8 N, R. 25 E, BHM, SD PD
 Sec 8 NE,E2SE;
 9 SE;
 10 NW;
 12 SW;
 13 NE,N2NW,SESW,N2SE;
 14 NE,N2NW,SWNW,NESE;
 15 NE;
 17 SWSE;
 20 NWNE,S2NE;
 22 W2NE;

Stanley 1800.00 AC
 Stipulations: CSU-1, Cultural
 Resources, Lease Notice-1, TES

01-05-85

T. 9 N, R. 25 E, BHM, SD PD
 Sec. 22 LOT 1;
 22 NWNE,S2NE,SESW,E2SW,SE;
 23 SWNW,W2SW;
 25 ALL;
 26 ALL;
 27 ALL;
 28 E2SE;

Stanley 2559.40 AC
 Stipulations: COE Stipulation on
 Army-Controlled Real Property,
 COE Information Notice, CSU-1,
 Cultural Resources, Form 3109-2,
 Lease Notice-1, NSO-1,6,
 Standard, TES

01-05-86

T. 9 N, R. 25 E, BHM, SD PD
 Sec 32 S2SE;
 33 NENE,S2NE,SESW,S2;
 34 ALL;
 35 N2,SW;

Stanley 1680.00 AC
 Stipulations: CSU-1, Cultural
 Resources, Lease Notice-1, TES

01-05-87

T. 7 N, R. 26 E, BHM, SD PD
 Sec 2 LOTS 3,4;
 4 LOTS 1,2;
 4 SENE;
 5 LOT 2;
 8 NWNE,NENW;

Stanley 323.59 AC
 Stipulations: CSU-1, Cultural
 Resources, Lease Notice-1, TES

01-05-88

T. 7 N, R. 26 E, BHM, SD PD
 Sec 23 NE;
 Stanley 160.00 AC
 Stipulations: Cultural Resources,
 Lease Notice-1, TES

01-05-89

T. 8 N, R. 26 E, BHM, SD PD
 Sec 7 LOTS 1,2,3,4;
 7 E2,E2W2;
 18 LOTS 1,2;
 18 NWNE,NENW;

Stanley 769.29 AC
 Stipulations: CSU-1, Cultural
 Resources, Lease Notice-1, TES

01-05-90

T. 8 N, R. 26 E, BHM, SD PD
 Sec 21 NE,S2;
 28 N2,SW,W2SE;
 29 E2E2,NWSW,SESW,SWSE;
 31 SESE;
 32 NE,N2SE;
 33 NWNE,S2NE,N2NW,SESW;
 34 NENW,S2NW;

Stanley 1960.00 AC
 Stipulations: CSU-1, Cultural
 Resources, Lease Notice-1, TES

01-05-91

T. 8 N, R. 27 E, BHM, SD PD
 Sec 1 LOTS 2,3,4;
 1 SWNE,S2NW,N2SW,NWSE;
 2 LOTS 1,2,3,4;
 2 S2NE,SESW,NESW;

Stanley 616.96 AC
 Stipulations: CSU-1, Cultural
 Resources, Lease Notice-1, TES

01-05-92

T. 8 N, R. 27 E, BHM, SD PD
 Sec 21 S2SE;
 22 SW;
 26 N2NW;
 27 NE,SWNW,N2SE;
 28 NWNE;
 33 SWSE;
 34 SESW;
 35 N2NE;

Stanley 800.00 AC
 Stipulations: CSU-1, Cultural
 Resources, Lease Notice-1, TES

01-05-93

T. 9 N, R. 27 E, BHM, SD PD
 Sec 10 S2;
 11 NWNE,S2NE,E2NW,S2;
 12 S2N2,N2S2,SWSW;
 14 E2,E2W2;
 15 W2;

Stanley 2000.00 AC
 Stipulations: COE Stipulation on
 Army-Controlled Real Property,
 COE Information Notice, CSU-1,
 Cultural Resources, Form 3109-2,
 Lease Notice-1, NSO-1,6,
 Standard, TES

01-05-94

T. 9 N, R. 27 E, BHM, SD PD
 Sec 13 E2E2,W2W2,SESW,SWSE;
 22 NE,W2W2,E2SE;
 23 NW,S2;
 24 ALL;

Stanley 1920.00 AC
 Stipulations: CSU-1, Cultural
 Resources, Lease Notice-1, TES

01-05-95

T. 9 N, R. 27 E, BHM, SD PD
 Sec 17 NWNE,S2NE,NW,N2SW,SESW,
 SE;
 18 LOTS 1,2,3,4;
 18 E2,E2W2;
 19 LOTS 1,2,3;
 19 NENW;

Stanley 1359.32 AC
 Stipulations: CSU-1, Cultural
 Resources, Lease Notice-1, TES

01-05-96

T. 9 N, R. 27 E, BHM, SD PD
 Sec 25 ALL;
 26 ALL;
 27 SESE;
 34 NE,E2NW,S2;
 35 N2;

Stanley 2200.00 AC
 Stipulations: CSU-1, Cultural
 Resources, Lease Notice-1, TES

01-05-97

T. 6 N, R. 28 E, BHM, SD PD
 Sec 20 SESE;
 Stanley 40.00 AC
 Stipulations: Cultural Resources,
 Lease Notice-1, TES

01-05-98

T. 7 N, R. 28 E, BHM, SD PD
 Sec 19 LOTS 3,4;
 19 E2SW,SE;
 30 NWSE,S2SE;
 31 LOT 2;
 31 SENW;
 32 S2NW,SW;

Stanley 750.90 AC
 Stipulations: CSU-1, Cultural
 Resources, Lease Notice-1, TES

01-05-99

T. 8 N, R. 28 E, BHM, SD PD
 Sec 2 S2;
 3 SENW,SE;
 4 LOT 2;
 10 E2NE,SESE;
 11 N2,W2SW;
 12 N2NE,SWNE,NW,E2SE;
 13 N2S2;
 14 W2NW,N2SW;
 15 NE;
 24 NE;

Stanley 2080.26 AC
 Stipulations: COE Stipulation on
 Army-Controlled Real Property,
 COE Information Notice, CSU-1,
 Cultural Resources, Form 3109-2,
 Lease Notice-1, NSO-1,6,
 Standard, TES

01-05-100

T. 9 N, R. 28 E, BHM, SD PD
 Sec 7 LOTS 1,4,5,8,9,11,12;
 7 SWNE,SWSE;
 8 NWSW;
 17 N2NE,NENW,S2NW,N2SW;
 18 LOTS 2-7 INCL,
 9,10,11,12;
 18 SWNE,E2W2,W2SE;
 19 LOTS 1-8 INCL;
 19 W2E2;
 30 LOTS 1,2, 7-12 INCL;
 30 W2E2,E2W2;

Stanley 2026.80 AC
 Stipulations: COE Stipulation on
 Army-Controlled Real Property,
 COE Information Notice, CSU-1,
 Cultural Resources, Form 3109-2,
 Lease Notice-1, NSO-1,6,
 Standard, TES

01-05-101

T. 8 N, R. 29 E, BHM, SD PD
 Sec 7 LOTS 3,4;
 7 E2NE,E2SW,SE;
 8 W2;
 17 LOT 7;
 17 S2NW,W2SW;
 18 LOTS 3,4;
 18 SENE,E2SW,SE;

Stanley 1254.69 AC
 Stipulations: COE Stipulation on
 Army-Controlled Real Property,
 COE Information Notice, CSU-1,
 Cultural Resources, Form 3109-2,
 Lease Notice-1, NSO-1,6,
 Standard, TES

01-05-102

T. 8 N, R. 29 E, BHM, SD PD
 Sec 19 LOTS 1,2,3,4;
 19 NE,E2W2,W2SE;
 20 LOTS 2,3;
 20 W2NW;
 29 LOTS 1-5 INCL;
 29 W2NW;
 30 LOTS 1-11 INCL;
 30 SENE,E2NW,NESW,N2SE;

Stanley 1391.20 AC
 Stipulations: COE Stipulation on
 Army-Controlled Real Property,
 COE Information Notice, Cultural
 Resources, CSU-1, Form 3109-2,
 Lease Notice-1, NSO-6, Standard,
 TES

STATISTICS

Total Parcels: 102

Total Acreage: 80,646.827

FOOTNOTES

- 1/ These parcels have fractional interests. Rentals are payable on total acres; royalties are payable on fractional interest.
- 2/ All or part of the lands are non-federal surface (split estate) with title to the mineral estate held by the United States. Due to this status, the mineral estate is administered by the Bureau of Land Management (BLM). Permits and approvals will be issued by the authorized BLM Officer. A notice will be attached at lease issuance. This notice will include legal descriptions and information for filing APDs.
- 3/ The exact metes and bounds description will be made a part of any lease issued for these lands.

Required Stipulations in Mineral Leases on Army-Controlled Real Property

CORPS OF ENGINEERS STIPULATION

1. The Secretary of the Army or designee reserves the right to require cessation of operations if a national emergency arises or if the Army needs the leased property for a mission incompatible with lease operations. On approval from higher authority, the commander will give the lessee written notice or, if time permits, request BLM to give notice of the required suspension. The lessee agrees to this condition and waives compensation for its exercise.
2. If the commander or the commander's authorized representative discovers an imminent danger to safety or security which allows no time to consult BLM, that person may order such activities stopped immediately. The state BLM Director will be notified immediately, will review the order, and will determine the need for further remedial action.
3. If contamination is found in the operating area, the operator will immediately stop work and ask the commander or commander's representative for help.
4. Lessee liability for damage to improvements shall include improvements of the Department of Defense.
5. Before beginning to drill, the lessee must consult with third parties authorized to use real estate in the leased area and must consider programs for which third parties have contractual responsibility.
6. A license to conduct geophysical test on the leased area must be obtained separately from the installation commander or the District Commander.
7. Civil works only: conditions in BLM Form 3109-2, Stipulation for Lands Under Jurisdiction of Department of the Army Corps of Engineers, or successor form.

01-05-28	01-05-99
01-05-69	01-05-100
01-05-85	01-05-101
01-05-93	01-05-102

COE ARMY-CONTROLLED REAL PROPERTY

LEASE NOTICE

In the event that directional drilling is contemplated, all facilities constructed on project lands, which can be damaged by flood water and which cannot be readily moved if a flood is imminent, must be constructed from a location approved by the COE District Engineer. The location must be above or adequately protected by a dike enclosure to an elevation to be determined at the time of drilling, plus the additional height determine necessary to protect against windwave runup and overtopping.

01-05-28
01-05-69
01-05-85
01-05-93
01-05-99
01-05-100
01-05-101
01-05-102

COE Information Notice

**STIPULATION FOR LANDS UNDER JURISDICTION
OF DEPARTMENT OF THE ARMY,
CORPS OF ENGINEERS**

Serial Number

Name of Project

Lake Oahe
Project

The lands embraced in this lease issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 181 *et seq.*), as amended, or the Mineral Leasing Act for Acquired Lands of August 7, 1947 (61 Stat. 913; 30 U.S.C. 351 *et seq.*) being under the jurisdiction of the Department of the Army, Corps of Engineers, the lessee hereby agrees:

(1) That *all* rights under this lease are subordinate to the rights of the United States to flood and submerge the lands, permanently or intermittently, in connection with the operation and maintenance of the above-named project.

(2) That the United States shall *not* be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, or for damages to the property of the lessee, or for injuries to the person of the lessee (if an individual), or for damages to the property or injuries to the person of the lessee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of anyone of them arising from or incident to the flooding of the said premises by the Government or flooding from any other cause, or arising from or incident to any other governmental activities; and the lessee shall hold the United States harmless from any and all such claims.

(3) That the work performed by the lessee on the lands shall be under the general supervision of the District Engineer, Corps of Engineers, in direct charge of the project, and subject to such conditions and regulations as may be prescribed by him, and the plans and location for all structures, appurtenances thereto, and work on said lands shall be submitted to the said District Engineer for approval, in advance, of

commencement of any work on said lands. The District Engineer shall have the right to enter on the premises, at any time, to inspect both the installation and operational activities of the lessee.(4) That no structure or appurtenance thereto shall be of a material or construction determined to create floatable debris.

(5) That the construction and operation of said structures and appurtenances thereto shall be of such a nature as not to cause pollution of the soils and the waters of the project.

(6) That the United States reserves the right to use the land jointly with the lessee in connection with the construction, operation, and maintenance of the Government project and to place improvements thereon or to remove materials therefrom, including sand and gravel and other construction material, as may be necessary in connection with such work, and the lessee shall not interfere, in any manner, with such work or do any act which may increase the cost of performing such work. If the cost of the work performed by the Government at and in connection with the project, including work performed on lands outside the property included in the lease, is made more expensive by reason of improvements constructed on the leased property by the lessee, the lessee shall pay to the United States money in an amount, as estimated by the Chief of Engineers, sufficient to compensate for the additional expense involved.

01-05-28	01-05-93	01-05-101
01-05-69	01-05-99	01-05-102
01-05-85	01-05-100	

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance on slopes over 30 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following will be accomplished:

- Site productivity will be restored.
- Surface runoff will be adequately controlled.
- Off-site areas will be protected from accelerated erosion, such as rilling, gullying, piping, and mass wasting.
- Water quality and quantity will be in conformance with state and federal water quality laws.
- Surface-disturbing activities will not be conducted during extended wet periods.
- Construction will not be allowed when soils are frozen.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-06	T. 27 N, R. 52 E, PMM sec. 13: NESE, S2SE
01-05-07	T. 27 N, R. 52 E, PMM sec. 24: E2, E2NW 25: W2E2, W2 26: NE, SW
01-05-11	T. 27 N, R. 54 E, PMM sec. 9: Lot 5, S2
01-05-12	T. 27 N, R. 54 E, PMM sec. 21: E2, E2NW
01-05-13	T. 27 N, R. 54 E, PMM sec. 22: All 24: All
01-05-14	T. 27 N, R. 55 E, PMM sec. 18: Lots 1,2,3,4, 18: W2NE, E2W2, NWSE 20: E2SW, SE
01-05-18	T. 27 N, R. 58 E, PMM sec. 19: Lots 1, 2

PARCEL NO.**LAND DESCRIPTIONS**

01-05-22	T. 9 S., R. 61 E, PMM sec. 10: All 11: E2NE
01-05-23	T. 9 S, R. 61 E, PMM sec. 12: All 13: All
01-05-83	T. 8 N, R. 25 E, BHM sec. 1: Lots 1,2,3,4, S2N2, S2 2: S2N2, S2 3: Lots 1, 2, S2N2 4: Lots 2,3,4, SWNE, S2NW, S2
01-05-84	T. 8 N., R. 25 E, BHM sec. 8: NE, E2SE 9: SE 10: NW 12: SW 13: NWNE, S2NE, N2SE, N2NW 14: NE, N2NW, SWNW, NESE 15: E2NE 17: SWSE 20: NWNE, S2NE 22: W2NE
01-05-85	T. 9 N, R. 25 E, BHM sec. 22: W2SWNWNE, N2SENW, E2E2SESW, SWSE, SESE, SENESE 23: E2SWNW, W2SW 25: NWNWNW, S2N2NW, S2NW, SW, N2SWNWNE, S2S2N2NE, S2NE, SE 26: S2NWNE, NENE, S2NE, SE, W2 27: E2E2NENW, NWNW, S2NW, SW, E2 28: E2SE
01-05-86	T. 9 N., R. 25 E., BHM, sec. 32: S2SE 33: NENE, S2NE, SENW, N2SW, SWSW, NWSE, S2SE 34: W2NW, NE, N2SE 35: N2, SW
01-05-87	T. 7 N., R. 26 E., BHM, sec. 2: Lots 3, 4 4: Lots 1, 2, SENE 5: Lot 2 8: NWNE, NENW

PARCEL NO.**LAND DESCRIPTIONS**

01-05-89	T. 8 N., R. 26 E., BHM, sec. 7: Lots 1,2,3,4, NWNE, S2NE, SE, E2NW 18: Lot 2
01-05-90	T. 8 N., R. 26 E., BHM, sec. 21: S2 28: N2, SW, W2SE 29: E2E2, NWSW, SESW, SWSE 31: SESE 32: NE, N2SE 33: NWNE, S2NE, N2NW 34: SWNW
01-05-91	T. 8 N., R. 27 E., BHM, sec. 1: Lots 2,3,4, SENW, SWNE, NWSE 2: Lots 3,4, SENW, NESW
01-05-92	T. 8 N., R. 27 E., BHM, sec. 27: NESE 35: N2NE
01-05-93	T. 9 N., R. 27 E., BHM, sec. 10: SE, S2SW, NESW, S2NWSW, NENWSW 11: SESENE, S2NENW, SW, S2SE, SWNWSE, E2NESE 12: SWNW, W2SENW, S2SWSWNE, SWSESWNE, N2SW, SWSW, NWNWSE, W2NENWSE, S2NWSE, S2NESE, S2NENESE 14: E2, E2NW, NESW 15: W2
01-05-94	T. 9 N., R. 27 E., BHM, sec. 13: W2NW, SWSW, SESW 22: W2W2, E2SE 23: NW, S2 24: ALL
01-05-95	T. 9 N., R. 27 E., BHM sec. 17: NWNE, S2NE, NW, N2SW, SESW, SE 18: Lots 1,2,3,4, W2NE, SE, NENW, E2SW 19: Lots 1,2,3, NENW
01-05-96	T. 9 N., R. 27 E., BHM sec. 25: ALL 26: SWSW, E2W2, E2 27: SESE 34: NE, NENW, N2SW, SE 35: N2

PARCEL NO.**LAND DESCRIPTIONS**

01-05-98	T. 7 N., R. 28 E., BHM sec. 19: Lot 4, E2SW, E2SE 30: NWSE, S2SE 31: Lot 2, SENW 32: S2NW, SW
01-05-99	T. 8 N., R. 28 E., BHM sec. 2: SW, N2SE, SWSE 3: SENW, SE 10: SENE, SESE 11: NW, NWNE, S2NE, SWNE, W2SW 12: SWNW, N2SE 14: W2NW, N2NWSW, SWNWSW 15: NE 24: S2N2NE, S2NE
01-05-100	T. 9 N., R. 28 E., BHM sec. 7: Lots 4,5, S2 Lot 12, S2N2 Lot of 12, N2NE of Lot 12, SWSWNE, S2SWSE, S2NESWSE, N2NESWSE 8: SENWSW 17: N2NWNE, SWNWNE, NENW, N2S2N2, N2S2SE 18: N2 of Lot 2, N2S2 of Lot 2, S2 of Lot 4, S2 of Lot 5, N2 of Lot 7, N2S2 of Lot 7, Lot 11, Lot 12, SWNE, E2NW, NESW, W2SESW, E2SESWSE 19: Lots 1-8 Incl., W2SE, S2SWNE, E2NESWNE, E2E2NWNE 30: Lots 1, 2, 7-12 Incl., W2E2, E2W2
01-05-101	T. 8 N., R. 29 E., BHM sec. 18: S2 of Lot 4, W2SENE, SESW, SWSWSE, E2W2SE, W2E2SE, NESESE
01-05-102	T. 8 N., R. 29 E., BHM sec. 19: Lots 1,2,3,4, NWNENE, W2NE, N2SESW, W2SE 30: Lot 1, SW of Lot 7, Lot 8

For the purpose of:

To maintain soil productivity, provide necessary protection to prevent excessive soil erosion on steep slopes, and to avoid areas subject to slope failure, mass wasting, piping, or having excessive reclamation problems.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance, a surface use plan of operations (SUPO) for oil and gas activities must be approved for black-footed ferret reintroduction areas by the authorized officer in consultation with the U.S. Fish and Wildlife Service (USFWS).

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-06	T. 27 N, R. 52 E, PMM sec. 13: Lots 1,2, NESE, S2SE

For the purpose of:

To protect designated black-footed ferret reintroduction habitat areas.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU-2

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

All surface-disturbing activities, semi-permanent and permanent facilities in VRM Class II, areas may require special design, including location, painting, and camouflage, to blend with the natural surroundings and meet the visual quality objectives for the area.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-07	T. 27 N, R. 52 E, PMM sec. 24: E2, E2NW 25: NW, NWSW 26: NE, SW
01-05-11	T. 27 N, R. 54 E, PMM sec. 7: Lots 2,3,4, E2SW
01-05-12	T. 27 N, R. 54 E, PMM sec. 20: NWSW 32: NENW
01-05-14	T. 27 N, R. 55 E, PMM sec. 18: Lots 1,2,3,4, 18: W2NE, E2W2, NWSE 19: Lot 1, NENW
01-05-20	T. 8 S., R. 60 E, PMM sec. 22: S2N2, N2SW
01-05-22	T. 9 S, R. 61 E, PMM sec. 2: S2SW 10: NENE, NW 11: N2N2
01-05-23	T. 9 S, R. 61 E, PMM sec. 12: W2, NWSE, S2SE 13: N2

For the purpose of:

To control the visual impacts of activities and facilities to within acceptable levels.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU-3

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

No disturbance of riparian areas of wetlands, intermittent, ephemeral, or perennial streams and rivers would be allowed except for essential road and utility crossings.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-25	T. 154 N, R. 93 W, 5 TH PM sec. 30: NWNE 31: SESE
01-05-26	T. 157 N, R. 93 W, 5 TH PM sec. 25: E2
01-25-27	T. 158 N, R. 93 W, 5 TH PM sec. 5: SW 6: Lots 4, 5 11: SW 14: NENW 17: NENE 18: SESE

For the purpose of:

Protection of riparian habitat (NDRMP - P. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU-4

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Prior to surface disturbance, prairie dog colonies and complexes 80 acres or more in size will be examined to determine the absence or presence of black-footed ferrets. The findings of this examination may result in some restrictions to the operator's plans or may even preclude use and occupancy that would be in violation of the Endangered Species Act (ESA) of 1973.

The lessee or operator may, at their own option, conduct an examination on the leased lands to determine if black-footed ferrets are present, or if the proposed activity will have an adverse effect, or if the area can be cleared. This examination must be done by or under the supervision of a qualified resource specialist approved by the Surface Management Agency (SMA).

An acceptable report must be provided to the SMA documenting the presence or absence of black-footed ferrets and identifying the anticipated effects of the proposed action on the black-footed ferret and its habitat. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-02	T. 11 N., R. 26 E, PMM sec. 15: SWSW

For the purpose of:

To assure compliance with the Endangered Species Act (ESA) by locating and protecting black-footed ferrets and their habitat.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CSU -5

Cultural Resources Lease Stipulation

This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

01-05-01
01-05-02
01-05-25
01-05-27
01-05-28
01-05-69
01-05-81 THRU 01-05-102

Cultural Resources

LEASE STIPULATIONS
BUREAU OF RECLAMATION

The lessee agrees to maintain, if required by the lessor during the period of this lease, including any extension thereof, an additional bond with qualified sureties in such sum as the lessor, if it considers that the bond required under Section 2(a) is insufficient, may at any time require:

(a) to pay for damages sustained by any reclamation homestead entryman to his crops or improvements caused by drilling or other operations of the lessee, such damages to include the reimbursement of the entryman by the lessee, when he uses or occupies the land of any homestead entryman, for all construction and operation and maintenance charges becoming due during such use or occupation upon any portion of the land so used and occupied;

(b) to pay any damage caused to any reclamation project or water supply thereof by the lessee's failure to comply fully with the requirements of this lease; and

(c) to recompense any nonmineral applicant, entryman, purchaser under the Act of May 16, 1930 (46 Stat. 367), or patentee for all damages to crops or to tangible improvements caused by drilling or other prospecting operation, where any of the lands covered by this lease are embraced in any nonmineral application, entry, or patent under rights initiated prior to the date of this lease, with a reservation of the oil deposits, to the United States pursuant to the Act of July 17, 1914 (38 Stat. 509).

As to any lands covered by this lease within the area of any Government reclamation project, or in proximity thereto, the lessee shall take such precautions as required by the irrigation under such project or to the water supply thereof; *provided* that drilling is prohibited on any constructed works or right-of-way of the Bureau of Reclamation, and *provided, further*, that there is reserved to the lessor, its successors and assigns, the superior and prior right at all times to construct, operate, and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, appurtenant irrigation structures, and reclamation works, in which construction, operation, and maintenance, the lessor, its successors and assigns, shall have the right to use any or all of the lands herein described without making compensation therefor, and shall not be responsible for any damage from the presence of water thereon or on account of ordinary, extraordinary, unexpected, or unprecedented floods. That nothing shall be done under this lease to increase the cost of, or interfere in any manner with, the construction, operation, and maintenance of such works. It is agreed by the lessee that, if the construction of any or all of said dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone or telegraph lines, electric transmission lines, roadways, appurtenant irrigation structures or reclamation works across, over, or upon said lands should be made more expensive by reason of the existence of the improvements and workings of the lessee thereon, said additional expense is to be estimated by the Secretary of the Interior, whose estimate is to be final and

(continued on reverse)

binding upon the parties hereto, and that within thirty (30) days

after demand is made upon the lessee for payment of any such sums, the lessee will make payment thereof to the United States, or its successors, constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, appurtenant irrigation structures, or reclamation works, across, over, or upon said lands; *provided, however*, that subject to advance written approval by the United States, the location and course of any improvements or works and appurtenances may be changed by the lessee; *provided, further*, that the reservations, agreements, and conditions contained in the within lease shall be and remain applicable notwithstanding any change in the location or course of said improvements or works of lessee. The lessee further agrees that the United States, its officers, agents, and employees, and its successors and assigns shall not be held liable for any damage to the improvements or workings of the lessee resulting from the construction, operation, and maintenance of any of the works hereinabove enumerated. Nothing in this paragraph shall be construed as in any manner limiting other reservations in favor of the United States contained in this lease.

THE LESSEE FURTHER AGREES That there is reserved to the lessor, its successors and assigns, the prior right to use any of the lands herein leased, to construct, operate, and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures, and also the right to remove construction materials therefrom, without any payment made by the lessor or its successors for such right, with the agreement on the part of the lessee that if the construction of any or all of such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands or the removal of construction materials therefrom, should be made more expensive by reason of the existence of improvements or workings of the lessee thereon, such additional expense is to be estimated by the Secretary of the Interior, whose estimate is to be final and binding upon the parties hereto, and that within thirty (30) days after demand is made upon the lessee for payment of any such sums, the lessee will make payment thereof to the United States or its successors constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands or removing construction materials therefrom. The lessee further agrees that the lessor, its officers, agents, and employees and its successors and assigns shall not be held liable for any damage to the improvements or workings of the lessee resulting from the construction, operation, and maintenance of any of the works herein above enumerated. Nothing contained in this paragraph shall be construed as in any manner limiting other reservations in favor of the lessor contained in this lease.

01-05-17
01-05-19

To insure against the contamination of the waters of the _____ Reservoir,
_____, Project, State of _____, the lessee agrees that
the following further conditions shall apply to all drilling and operations on lands covered by this
lease, which lie within the flowage or drainage area of the _____ Reservoir, as such area
is defined by the Bureau of Reclamation:

1. The drilling sites for any and all wells shall be approved by the
Superintendent, Bureau of Reclamation, _____ Project,
before
drilling begins. Sites for the construction of pipe-line rights-of-way or other authorized facilities shall
also be approved by the Superintendent before construction begins.

2. All drilling or operation methods or equipment shall, before their
employment, be inspected and approved by the Superintendent of the
Project, _____, and by the supervisor of the U.S. Geological Survey having
jurisdiction over the area.

SPECIAL STIPULATION - BUREAU OF RECLAMATION

To avoid interference with recreation development and/or impacts to fish and wildlife habitat and to assist in preventing damage to any Bureau of Reclamation dams, reservoirs, canals, ditches, laterals, tunnels, and related facilities, and contamination of the water supply therein, the lessee agrees that the following conditions shall apply to all exploration and developmental activities and other operation of the works thereafter on lands covered by this lease:

1. Prior to commencement of any surface-disturbing work including drilling, access road work, and well location construction, a surface use and operations plan will be filed with the appropriate officials. A copy of this plan will be furnished to the Regional Director, Great Plains Region, Bureau of Reclamation, P.O. Box 36900, Billings, MT 59107-6900, for review and consent prior to approval of the plan. Such approval will be conditioned on reasonable requirements needed to prevent soil erosion, water pollution, and unnecessary damages to the surface vegetation and other resources, including cultural resources, of the United States, its lessees, permittees, or licensees, and to provide for the restoration of the land surface and vegetation. The plan shall contain provisions as the Bureau of Reclamation may deem necessary to maintain proper management of the water, recreation, lands structures, and resources, including cultural resources, within the prospecting, drilling, or construction area.

Drilling sites for all wells and associated investigations such as seismograph work shall be included in the above-mentioned surface use and operation plan.

If later explorations require departure from or additions to the approved plan, these revisions or amendments, together with a justification statement for proposed revisions, will be submitted for approval to the Regional Director, Great Plains Region, Bureau of Reclamation, or his authorized representative.

Any operations conducted in advance of approval of an original, revised, or amended prospecting plan, or which are not in accordance with an approved plan constitute a violation of the terms of this lease. The Bureau of Reclamation reserves the right to close down operations until such corrective action, as is deemed necessary, is taken by the lessee.

2. No occupancy of the surface of the following excluded areas is authorized by this lease. It is understood and agreed that the use of these areas for Bureau of Reclamation purposes is superior to any other use. The following restrictions apply only to mineral tracts located within the boundary of a Bureau of Reclamation project where the United States owns 100 percent of the fee mineral interest.

- a. Within 500 feet on either side of the centerline of any and all roads or highways within the leased area.
- b. Within 200 feet on either side of the centerline of any and all trails within the leased area.
- c. Within 500 feet of the normal high-water line of any and all live streams in the leased area.
- d. Within 400 feet of any and all recreation developments within the leased area.
- e. Within 400 feet of any improvements either owned, permitted, leased, or otherwise authorized by the Bureau of Reclamation within the leased area.
- f. Within 200 feet of established crop fields, food plots, and tree/shrub plantings within the leased area.
- g. Within 200 feet of slopes steeper than a 2:1 gradient within the leased area.
- h. Within established rights-of-way of canals, laterals, and drainage ditches within the leased area.
- i. Within a minimum of 500 feet horizontal from the centerline of the facility or 50 feet from the outside toe of the canal, lateral, or drain embankment, whichever distance is greater, for irrigation facilities without clearly marked rights-of-way within the leased area.
- j. Providing that appropriate environmental compliance measures can be ensured, and providing further that Reclamation project works and other public interests can be protected, Reclamation may consider, on a case-by-case basis, waiving the requirement specified in Section 2 hereof. **HOWEVER, LESSEES ARE ADVISED THAT OBTAINING SUCH A WAIVER CAN BE A DIFFICULT, TIME CONSUMING, AND COSTLY PROCESS WITH NO GUARANTEE THAT RECLAMATION WILL GRANT THE REQUESTED WAIVER.**

01-05-17
01-05-19

3. No occupancy of the surface or surface drilling will be allowed in the following areas. In addition, no directional drilling will be allowed that would intersect the subsurface zones delineated by a vertical plane in these areas. The following restrictions apply only to mineral tracts located within the boundary of a Bureau of Reclamation project, where the United States owns 100 percent of the fee mineral interest in said tract, or tracts.

a. Within 1,000 feet of the maximum water surface, as defined in the Standard Operating Procedures (SOP), of any reservoirs and related facilities located within the leased area.

b. Within 2,000 feet of dam embankments and appurtenance structures such as spillway structures, outlet works, etc.

c. Within one-half (1/2) mile horizontal from the centerline of any tunnel within the leased area.

d. Providing that appropriate environmental compliance measures can be ensured, and providing further that Reclamation project works and other public interests can be protected. Reclamation may consider, on a case-by-case basis, waiving the requirements specifies in Section 3 hereof. **HOWEVER, LESSEES ARE ADVISED THAT OBTAINING SUCH A WAIVER CAN BE A DIFFICULT, TIME CONSUMING, AND COSTLY PROCESS WITH NO GUARANTEE THAT RECLAMATION WILL GRANT THE REQUESTED WAIVER.**

4. The distances stated in items 2 and 3 above are intended to be general indicators only. The Bureau of Reclamation reserves the right to revise these distances as needed to protect Bureau of Reclamation facilities.

5. The use of explosives in any manner shall be so controlled that the works and facilities of the United States, its successors and assigns, will in no way be endangered or damaged. In this connection, an explosives use plan shall be submitted to and approved by the Regional Director, Great Plains Region, Bureau of Reclamation, or his/her authorized representative.

6. The lessee shall be liable for all damage to the property of the United States, its successors or assigns, resulting from the exploration, development, or operation of the works contemplated by this lease, and shall further hold the United States, its successors or assigns, and its officers, agents, and employees, harmless from all claims of third parties for injury or damage sustained or in any way resulting from the exercise of the rights and privileges conferred by the lease.

7. The lessee shall be liable for all damages to crops or improvements of any entryman, nonmineral applicant, or patentee, their successors or assigns, caused by or resulting from the drilling or other operations of the lessee, including reimbursement of any entryman or patentee, their successors or assigns, for all construction, operation, and maintenance charges becoming due on any portion of their said lands damaged as a result of the drilling or other operation of the lessee.

8. In addition to any other bond required under the provisions of this lease, the lessee shall provide such bond as the United States may at any time require for damages which may arise under the liability provisions of Section six (6) and seven (7) above.

LEASE NOTICE

The Surface Management Agency is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Guidance for application of this requirement can be found in NTL-MSO-85-1.

This notice would be consistent with the present Montana guidance for cultural resource protection related to oil and gas operations (NTL-MSO-85-1).

01-05-06
01-05-81 THRU 01-05-102

LEASE NOTICE-1

LEASE NOTICE

The following parcels nominated for oil and gas leasing are located adjacent and/or near to the White Earth River and contain high potential for National Register eligible historic and cultural properties. Lessees are notified that archaeological resource inventory and mitigation costs may be high within this area.

T. 158 N, R. 93 W, 5th PM
sec. 5: SW
6: Lots 4, 5
17: SWSW
18: SESE
10: W2NW

01-05-27

LEASE NOTICE-2

NO SURFACE OCCUPANCY STIPULATION

Surface occupancy and use is prohibited within riparian areas, 100-year flood plains of major rivers, and on water bodies and streams.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-03	T. 27 N., R. 51 E, PMM sec. 18: Lots 1,2,3,5
01-05-06	T. 27 N, R. 52 E, PMM sec. 13: Lot 2
01-05-10	T. 26 N, R. 54 E, PMM sec. 5: Lot 1
01-05-17	T. 22 N, R. 58 E, PMM sec. 13: Irrigation canal and/or lateral desc by M&B (32.48 ac); 23: Irrigation canal and/or lateral desc by M&B (35.05 AC); 24: Irrigation canal and/or lateral desc by M&B (5.30 AC); 25: Tracts 1 thru 7,9,10,11 in irrigation canal and/or lateral desc by M&B (36.30 AC); 35 Irrigation canal and/or lateral in N2 (12.92 AC) desc by M&B;
01-05-19	T. 22 N, R. 59 E, PMM sec. 3: Irrigation canal in SENE desc by M&B (TR 1) (2.04 ac); 3: Irrigation canal in SW desc by M&B (TR 2) (5.63 ac); 3: Irrigation canal in NESE desc by M&B (TR 3) (1.32 ac); 3: Irrigation canal in NWSE desc by M&B (TR 4) (2.04 ac); 5: Irrigation canal desc by M&B (TRS 1-10) (23.21 ac); 7: Irrigation canal desc by M&B (TRS 1-5) (41.10 ac); 9: Irrigation canal in N2SW desc by M&B (TR 1) (4.9 ac);

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17: Irrigation canal in NWNW desc
by M&B (TR 1) (2.10 ac);
18: Irrigation canal desc by M&B
(TRS 1-2) (2.34 ac);
19: Irrigation canal desc by M&B
(TR 1) (11.6 ac);
19: Irrigation canal desc by M&B
(TRS 2,3,4) (5.88 ac)
30: Irrigation canal desc by M&B
(TRS 1-4) (7.1 ac);
31: Irrigation canal desc by M&B
(TRS 1-5) (16.55 ac);

01-05-21	T. 9 S., R. 60 E. PMM sec. 21: NE 22: NW
01-05-85	T. 9 N, R. 25 E, BHM sec. 22: SENESE 23: E2SWNW, NWSW 26: S2NWNE, NENE
01-05-93	T. 9 N., R. 27 E., BHM, sec. 10: NENWSW, S2NWSW 11: NWSW, SESENE 12: S2SWSWNE, SWSSEWNE, NWNWSE, S2NENESE
01-05-99	T. 8 N., R. 28 E., BHM sec. 11: SWNENE 24: S2NENE, SENE
01-05-100	T. 9 N., R. 28 E., BHM sec. 7: Lot 5
01-05-101	T. 8 N., R. 29 E., BHM sec. 18: SESW

For the purpose of:

To protect the unique biological and hydrological features associated with riparian areas, 100-year flood plains of major rivers, and water bodies and streams.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NSO-1
Page 2 of 2

NO SURFACE OCCUPANCY STIPULATION

Surface occupancy and use is prohibited within sites or areas designated for conservation use, public use, or sociocultural use.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-06	T. 27 N, R. 52 E, PMM sec. 13: NESE, S2SE

For the purpose of:

To protect those cultural properties identified for conservation use, public use, and sociocultural use. (see definitions for use categories within BLM Manual 3111).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NSO-2

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy (NSO) or use would be allowed within 200 feet of wetlands, lakes, and ponds.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-25	T. 154 N, R. 93 W, 5 TH PM sec. 30: NWNE
01-05-26	T. 157 N, R. 93 W, 5 TH PM sec. 25: SESE
01-05-27	T. 158 N, R. 93 W, 5 TH PM sec. 5: NESW 6: Lots 4, 5 17: NENE

For the purpose of:

Protection of wetlands (NDRMP - p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NSO-3

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy (NSO) would be allowed in the floodplains of the Missouri River and the Yellowstone River.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-28	T. 154 N, R. 95 W, 5 TH PM sec. 35: NE excl. 5.13 ac in SWNE for RR ROW 35: NW, N2NESW, N2N2SE 36: Lots 1, 2 36: S2NE, NW, N2NWSW
01-05-69	T. 153 N, R. 102 W, 5 TH PM sec. 19: Lots 5,8 19: Portions of Lots 1,4, NWNE, which lie southeasterly Of Great Northern RR ROW 19: Unsurveyed lands accreted to lots 1,4,5,8 together with bed of Lake Trenton ripar to said lots

For the purpose:

Protection of the floodplains from possible pollution (NDRMP p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NSO-4

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy (NSO) or use on federally-designated natural areas, state-designated nature preserves, or state-managed natural areas, as described below for a portion of the Trenton State Wildlife Management Area.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-69	T. 153 N, R. 102 W, 5 TH PM sec. 19: Lots 5,8 19: Portions of Lots 1,4, NWNE, which lie southeasterly Of Great Northern RR ROW 19: Unsurveyed lands accreted to lots 1,4,5,8 together with bed of Lake Trenton ripar to said lots

For the purpose:

Protection of Natural Areas (NDRMP p. 20 and NDRMP Oil & Gas Lease Stipulation And Review Areas Map).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NSO-5

NO SURFACE OCCUPANCY STIPULATION

Surface occupancy and use is prohibited within 1/4 mile of designated reservoirs with fisheries.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-85	T. 9 N., R. 25 E., BHM, sec. 22: SE of Lot 1, W2SWNWNE, N2SENW, SENESE, SESE, SWSE, E2E2SESW 23: E2SWNW, W2SW 26: NENW, S2NWNE, NENE, S2NE 27: E2E2NENW, NWNW, S2NW, W2NE
01-05-93	T. 9 N., R. 27 E., BHM, sec. 10: NESW, NENWSW, S2NWSW, SWSW 11: S2NENW, N2SW, SWSW, S2SE, E2NESE, SESENE 12: W2SENW, SWNW, W2SW, NESW, S2NESE, S2NENESE, S2NWSE, NWNWSE, W2SWSWNE, SWSESWNE, W2NENWSE
01-05-99	T. 8 N., R. 28 E., BHM sec. 2: N2SE, SWSE 11: NWNE, S2NE, SWNENE 12: SWNW, N2SENW 14: W2NW, N2NWSW, SWNWSW 24: S2N2NE, S2NE
01-05-100	T. 9 N., R. 28 E., BHM sec. 7: Lots 4,5,12 8: SENWSW 17: SWNWNE, N2NWNE, NENW, N2S2NW, N2S2SENW 18: N2 of Lot 2, N2S2 of Lot 2, S2 of Lot 4, S2 of Lot 5, N2 of Lot 7, N2S2 of Lot 7, E2NW, NESW, W2SESW, E2SESWSE, SWNE 19: E2NESWNE
01-05-101	T. 8 N., R. 29 E., BHM sec. 18: S2 of Lot 4, SESW, SWSWSE, E2W2SE, W2E2SE, NESESE, W2SENE

PARCEL NO.

LAND DESCRIPTIONS

01-05-102

T. 8 N., R. 29 E., BHM
sec. 19: Lots 3,4, NESW, N2SESW,
W2SE, W2NE, NWNENE
30: SW of Lot 7, Lot 8

For the purpose of:

To protect the fisheries and recreational values of reservoirs.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NSO-6
Page 2 of 2

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management
P. O. Box 36800
Billings, Montana 59107

OIL AND GAS LEASE STIPULATIONS

ESTHETICS--To maintain esthetic values, all surface-disturbing activities, semipermanent and permanent facilities may require special design including location, painting and camouflage to blend with the natural surroundings and meet the intent of the visual quality objectives of the Federal Surface Managing Agency (SMA).

EROSION CONTROL--Surface-disturbing activities may be prohibited during muddy and/or wet soil periods.

CONTROLLED OR LIMITED SURFACE USE STIPULATION --This stipulation may be modified, consistent with land use documents, when specifically approved in writing by the Bureau of Land Management (BLM) with concurrence of the SMA. Distances and/or time periods may be made less restrictive depending on the actual onground conditions. The prospective lessee should contact the SMA for more specific locations and information regarding the restrictive nature of this stipulation.

The lessee/operator is given notice that the lands within this lease may include special areas and that such areas may contain special values, may be needed for special purposes, or may require special attention to prevent damage to surface and/or other resources. Possible special areas are identified below. Any surface use or occupancy within such special areas will be strictly controlled, or **if absolutely necessary**, excluded. Use or occupancy will be restricted only when the BLM and/or the SMA demonstrates the restriction necessary for the protection of such special areas and existing or planned uses. Appropriate modifications to imposed restrictions will be made for the maintenance and operations of producing oil and gas wells.

After the SMA has been advised of specific proposed surface use or occupancy on the leased lands, and on request of the lessee/operator, the Agency will furnish further data on any special areas which may include:

100 feet from the edge of the rights-of-way from highways, designated county roads and appropriate federally-owned or controlled roads and recreation trails.

500 feet, or when necessary, within the 25-year flood plain from reservoirs, lakes, and ponds and intermittent, ephemeral or small perennial streams: 1,000 feet, or when necessary, within the 100-year flood plain from larger perennial streams, rivers, and domestic water supplies.

500 feet from grouse strutting grounds. Special care to avoid nesting areas associated with strutting grounds will be necessary during the period from March 1, to June 30. One-fourth mile from identified essential habitat of state and federal sensitive species. Crucial wildlife winter ranges during the period from December 1 to May 15, and in elk calving areas during the period from May 1 to June 30.

300 feet from occupied buildings, developed recreational areas, undeveloped recreational areas receiving concentrated public use and sites eligible for or designated as National Register sites.

Seasonal road closures, roads for special uses, specified roads during heavy traffic periods and on areas having restrictive off-road vehicle designations.

On slopes over 30 percent or 20 percent on extremely erodable or slumping soils.

01-05-01
01-05-25 thru 28

01-05-69
01-05-85

01-05-93
01-05-99 thru 102
Standard(May 2001)

See Notice on Back

NOTICE

APPLICATIONS FOR PERMIT TO DRILL (APDs)--The appropriate BLM field offices are responsible for the receipt, processing, and approval of APDs. The APDs are to be submitted by oil and gas operators pursuant to the requirements found in Onshore Oil and Gas Order No. 1 -- Approval of Operations on Onshore Federal and Indian Oil and Gas Leases (Circular No. 2538). Additional requirements for the conduct of oil and gas operations can be found in the Code of Federal Regulations Title 43, Part 3160. Copies of Onshore Oil and Gas Order No. 1, and pertinent regulations, can be obtained from the BLM field offices in which the operations are proposed. Early coordination with these offices on proposals is encouraged.

CULTURAL AND PALEONTOLOGICAL RESOURCES--The SMA is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the SMA, shall:

1. Contact the appropriate SMA to determine if a site-specific cultural resource inventory is required. If an inventory is required, then:
2. Engage the services of a cultural resource specialist acceptable to the SMA to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the SMA for review and approval no later than that time when an otherwise complete application for approval of drilling or subsequent surface-disturbing operation is submitted.
3. Implement mitigation measures required by the SMA. Mitigation may include the relocation of proposed lease-related activities or other protective measures such as testing salvage and recordation. Where impacts to cultural resources cannot be mitigated to the satisfaction of the SMA, surface occupancy on that area must be prohibited.

The operator shall immediately bring to the attention of the SMA any cultural or paleontological resources discovered as a result of approved operations under this lease, and not disturb such discoveries until directed to proceed by the SMA.

ENDANGERED OR THREATENED SPECIES--The SMA is responsible for assuring that the leased land is examined prior to undertaking any surface-disturbing activities to determine effects upon any plant or animal species, listed or proposed for listing as endangered or threatened, or their habitats. The findings of this examination may result in some restrictions to the operator's plans or even disallow use and occupancy that would be in violation of the Endangered Species Act of 1973 by detrimentally affecting endangered or threatened species or their habitats.

The lessee/operator may, unless notified by the authorized officer of the SMA that the examination is not necessary, conduct the examination on the leased lands at his discretion and cost. This examination must be done by or under the supervision of a qualified resources specialist approved by the SMA. An acceptable report must be provided to the SMA identifying the anticipated effects of a proposed action on endangered or threatened species or their habitats.

ENDANGERED SPECIES ACT SECTION 7 CONSULTATION STIPULATION

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. § 1531 et seq., including completion of any required procedure for conference or consultation.

01-05-01 thru 01-05-28
01-05-31 thru 01-05-32
01-05-40 thru 01-05-42
01-05-46
01-05-61 thru 01-05-62
01-05-66
01-05-68 thru 01-05-69
01-05-76
01-05-79
01-05-81 thru 01-05-102

TES (BLM)

TIMING LIMITATION STIPULATION

Surface use is prohibited from March 1 to June 15 in grouse nesting habitat within 2 miles of a lek. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-02	T. 11 N., R. 26 E, PMM sec. 15: W2
01-05-15	T. 13 N, R. 56 E, PMM sec. 17: NE
01-05-81	T. 19 N, R. 1 E, BHM sec. 15: NWNW

For the purpose of (reasons):

To protect sharp-tail and sage grouse nesting habitat from disturbance during spring and early summer in order to maximize annual production of young and to protect nesting activities adjacent to nesting sites for the long-term maintenance of grouse populations in the area.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING-1

TIMING LIMITATION STIPULATION

Surface use is prohibited from December 1 to March 31 within crucial winter range for wildlife. This stipulation does not apply to the operation and maintenance of production facilities.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-02	T. 11 N., R. 26 E, PMM sec. 9: S2N2 10: SENW, NESW, S2SW 15: W2
01-05-04	T. 35 N, R. 51 E, PMM sec. 2 LOT 1, SENE; 10 NESE; 11 NWSW, SWSE; 13 W2SW; 14 N2NE, W2NW, SENW, S2; 15 NE, NENW, NESE; 22 NW;
01-05-05	T. 35 N, R. 51 E, PMM sec. 10: W2E2 excl. acres in RR ROW 11: E2NW excl. acres in RR ROW
01-05-06	T. 27 N, R. 52 E, PMM sec. 13: NESE, S2SE
01-05-07	T. 27 N, R. 52 E, PMM sec. 24: E2, E2NW, SW 25: W2E2, W2 26: NE, SW
01-05-08	T. 35 N, R. 52 E, PMM sec. 17: W2SE, SESE 20: NESW, SWSE 29: SENW
01-05-09	T. 27 N, R. 53 E, PMM sec. 31: SWNE, NWSE
01-05-10	T. 26 N, R. 54 E, PMM sec. 5: Lot 1 6: Lot 2

PARCEL NO.

LAND DESCRIPTIONS

01-05-11	T. 27 N, R. 54 E, PMM sec. 7: Lots 2,3,4, E2SW 8: E2SW, SE 9: Lots 5, 6, S2 17: NE, E2NW, SWNW 18: Lot 3
01-05-12	T. 27 N, R. 54 E, PMM sec. 20: NWSW 21: E2, E2NW 29: W2NE, NENW, S2 32: NWNE, N2NW
01-05-13	T. 27 N, R. 54 E, PMM sec. 22: All 23: SENE, W2, E2SE 24: All
01-05-14	T. 27 N, R. 55 E, PMM sec. 18: Lots 1,2,3,4, 18: W2NE, E2W2, NWSE 19: Lots 1,2,3,4 19: SENE, W2E2, E2W2 20: E2SW, SE
01-05-15	T. 13 N, R. 56 E, PMM sec. 17: NE, N2NW, SENW, N2SE, SESE 18: NENE
01-05-20	T. 8 S., R. 60 E, PMM sec. 22: NWNW, S2N2, S2
01-05-22	T. 9 S, R. 61 E, PMM sec. 2: SWNE, SENW, S2 3: W2NE, NW, S2 10: All 11: All
01-05-23	T. 9 S, R. 61 E, PMM sec. 12: All 13: All 14: All
01-05-24	T. 9 S, R. 61 E, PMM sec. 17: N2, NESW, SE 20: S2SE

For the purpose of (reasons):

To protect crucial white-tailed deer, mule deer, elk, antelope, moose, bighorn sheep, and sage grouse winter range from disturbance during the winter use season, and to facilitate long-term maintenance of wildlife populations.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING LIMITATION STIPULATION

Surface occupancy or use would be subject to the following special operating constraint:

No seismic exploration would be allowed within 500 feet of waterfowl nesting habitat during the following time period(s) between:

March 1 and July 1

This stipulation does not apply to operation and maintenance of production facilities.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-25	T. 154 N, R. 93 W, 5 TH PM sec. 30: NWNE
01-05-26	T. 157 N, R. 93 W, 5 TH PM sec. 25: SESE
01-05-27	T. 158 N, R. 93 W, 5 TH PM sec. 5: NESW 6: Lots 4, 5 17: NENE

For the purpose of (reasons):

Protection of nesting waterfowl (NDRMP - p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING-3

**NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM
UNDER JURISDICTION OF
DEPARTMENT OF AGRICULTURE**

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

District Ranger, McKenzie Ranger District
Dakota Prairie Grasslands
1901 South Main Street
Watford City, ND 58854

who is the authorized representative of the Secretary of Agriculture.

CULTURAL RESOURCES - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures, in accordance with the Archaeological Resources Protection Act of 1979, the National Historic Preservation Act of 1966 (as amended), and the American Indian Religious Freedom Act of 1996. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the FS, shall:

1. Contact the FS to determine if a site specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the FS for review and approval at the time a surface disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

01-05-29
01-05-51 thru 54
01-05-70 thru 80

The lessee or operator shall immediately bring to the attention of the FS and BLM any cultural or resources or any other objects of scientific interest discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by FS and BLM.

Vertebrate Paleontology Notice - The FS is responsible for assuring that the leased lands are examined to determine if paleontological resources are present and to specify mitigation measures, in accordance with Organic Act, and the National Forest Management Act of 1976

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the Forest Service, shall:

1. Contact the Forest Service to determine if a site-specific vertebrate paleontologic inventory is required. The Forest Service will conduct inventories and surveys as part of the field review for the proposed activity on the lease. The operator may voluntarily engage the services of a qualified paleontologist to conduct the inventory.
2. Implement mitigation measures required by the Forest Service and Bureau of land management to preserve or avoid destruction of vertebrate paleontologic resources. Mitigation may include relocation of proposed facilities or other protective measures.
3. The lessee or operator shall immediately bring to the attention of the Forest Service any vertebrate paleontologic resources discovered as a result of surface operation under this lease, and shall leave such discoveries intact until directed to proceed by the Forest Service.

FLOODPLAIN AND WETLANDS - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystems will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

**NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM
UNDER JURISDICTION OF
DEPARTMENT OF AGRICULTURE**

The permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of Interior in the permit. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of an exploration plan by the Secretary of the Interior, (2) uses of all existing improvements, such as forest development roads, within and outside the area permitted by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by an exploration plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

District Ranger, Medora Ranger District
Dakota Prairie Grasslands
161 21st Street West
Dickinson, ND 58601-3135

who is the authorized representative of the Secretary of Agriculture.

CULTURAL RESOURCES - The FS is responsible for assuring that the leased lands are examined to determine if cultural resources are present and to specify mitigation measures, in accordance with the Archaeological Resources Protection Act of 1979, the National Historic Preservation Act of 1966 (as amended), and the American Indian Religious Freedom Act of 1996. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the FS, shall:

1. Contact the FS to determine if a site specific cultural resource inventory is required. If a survey is required, then:
2. Engage the services of a cultural resource specialist acceptable to the FS to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the area of proposed disturbance to cover possible site relocation which may result from environmental or other considerations. An acceptable inventory report is to be submitted to the FS for review and approval at the time a surface disturbing plan of operation is submitted.
3. Implement mitigation measures required by the FS and BLM to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures. All costs of the inventory and mitigation will be borne by the lessee or operator, and all data and materials salvaged will remain under the jurisdiction of the U.S. Government as appropriate.

01-05-30 thru 50
01-05-55 thru 68

The lessee or operator shall immediately bring to the attention of the FS and BLM any cultural or resources or any other objects of scientific interest discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by FS and BLM.

Vertebrate Paleontology Notice - The FS is responsible for assuring that the leased lands are examined to determine if paleontological resources are present and to specify mitigation measures, in accordance with Organic Act, and the National Forest Management Act of 1976

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified to the contrary by the Forest Service, shall:

1. Contact the Forest Service to determine if a site-specific vertebrate paleontologic inventory is required. The Forest Service will conduct inventories and surveys as part of the field review for the proposed activity on the lease. The operator may voluntarily engage the services of a qualified paleontologist to conduct the inventory.
2. Implement mitigation measures required by the Forest Service and Bureau of land management to preserve or avoid destruction of vertebrate paleontologic resources. Mitigation may include relocation of proposed facilities or other protective measures.
3. The lessee or operator shall immediately bring to the attention of the Forest Service any vertebrate paleontologic resources discovered as a result of surface operation under this lease, and shall leave such discoveries intact until directed to proceed by the Forest Service.

FLOODPLAIN AND WETLANDS - The lessee is hereby notified that this lease may contain land within a riparian ecosystem. All activities within this area may be highly restricted in order to comply with Executive Order 11988 - *Floodplain Management* and Executive Order 11990 - *Protection of Wetlands*, in order to preserve and restore or enhance the natural and beneficial values served by floodplains and wetlands.

Riparian ecosystems will be managed by the Forest Service to protect from conflicting uses in order to provide healthy, self-perpetuating plant and water communities that will have optimum diversity and density of understory and overstory vegetation. Occupancy and use of lands within riparian ecosystems proposed in a proposed Surface Use Plan of Operations will be considered in an environmental analysis done to identify the mitigation measures necessary to protect the riparian area. Special measures such as road design, well pad size and location or directional drilling, may be made part of the permit authorizing the activity.

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description)

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-29	T. 149 N, R. 98 W, 5 TH PM sec. 25: Portions of E2NE, SESE
01-05-30	T. 141 N, R. 100 W, 5 TH PM sec. 22: Portions of SESE 26: Portions of NWNW, NESW
01-05-31	T. 141 N, R. 100 W, 5 TH PM sec. 26: Portions of SESW, SWSE
01-05-33	T. 142 N, R. 100 W, 5 TH PM sec. 8: Portions of E2
01-05-34	T. 142 N, R. 100 W, 5 TH PM sec. 9: Portions of NWNW, SESW
01-05-37	T. 144 N, R. 100 W, 5 TH PM sec. 20: Portions of NENE, S2NE, W2NW
01-05-38	T. 144 N, R. 100 W, 5 TH PM sec. 26: Portions of NE, NWSE, S2SE
01-05-40	T. 141 N, R. 101 W, 5 TH PM sec. 14: Portions of NE
01-05-41	T. 141 N, R. 101 W, 5 TH PM sec. 14: Portions of N2NW, SENW
01-05-42	T. 141 N, R. 101 W, 5 TH PM sec. 18: Portions of SESE
01-05-43	T. 142 N, R. 101 W, 5 TH PM sec. 1: Portions of NESW, S2SW, SE 10: Portions of NESW, S2SW, SE 22: Portions of N2NE, SENE
01-05-44	T. 142 N, R. 101 W, 5 TH PM sec. 2: Portions of SWNW, SW, NESE, S2SE 10: Portions of N2N2, SENE, S2NW, NWSW 12: Portions of NENW

PARCEL NO.**LAND DESCRIPTIONS**

01-05-45	T. 142 N, R. 101 W, 5 TH PM sec. 4: Portions of Lots 1,2,3,4, S2N2 8: Portions of all 18: Portions of Lot 1, NENW
01-05-46	T. 142 N, R. 101 W, 5 TH PM sec. 18: Portions of N2NE 22: Portions of SE
01-05-47	T. 142 N, R. 101 W, 5 TH PM sec. 20: Portions of NENE, SWNW, SWSW, S2SE 30: Portions of Lots 1,2,3,4, N2NE, E2NW
01-05-48	T. 142 N, R. 101 W, 5 TH PM sec. 22: Portions of W2NW, SENW, SW 28: Portions of NW 34: Portions of NWNE, S2NE, NW, N2SW, SESW, SESE
01-05-49	T. 142 N, R. 101 W, 5 TH PM sec. 28: Portions of N2NE 29: Portions of NENE, N2NW, SWNW, S2
01-05-50	T. 142 N, R. 101 W, 5 TH PM sec. 32: Portions of N2, N2S2, SESE 33: Portions of NE, S2NW, NWSW, SESW, NESE, S2SE
01-05-51	T. 146 N, R. 101 W, 5 TH PM sec. 4: Portions of Lots 3,4, SWNE, S2NW, SW, NWSE, S2SE 10: Portions of SE 14: Portions of SWNW 20: Portions of N2, N2SW, SESW, SE, 26: Portions of NE, N2NW, SENW, S2 28: Portions of NE, W2NW
01-05-52	T. 146 N, R. 101 W, 5 TH PM sec. 6: Portions of Lots 1,2,3,4,7
01-05-53	T. 146 N, R. 101 W, 5 TH PM sec. 8: Portions of W2 18: Portions of Lots 1,2,3,4, E2, E2W2

PARCEL NO.**LAND DESCRIPTIONS**

01-05-54	T. 146 N, R. 101 W, 5 TH PM sec. 10: Portions of SW 24: Portions of E2 28: Portions of NWSW, SESW, SESE
01-05-55	T. 141 N, R. 102 W, 5 TH PM sec. 1: Portions of Lots 2,3,5,7; Portions of SENW, NWSE, S2SE 12: Portions of NENE, S2NE, SE
01-05-56	T. 141 N, R. 102 W, 5 TH PM sec. 4: Portions of Lots 1,4, SENE SWNW, W2SW, E2SE 8: Portions of NENW, SE 18: Portions of Lots 1,2, NENE, E2NW
01-05-57	T. 141 N, R. 102 W, 5 TH PM sec. 4: Portions of SWSE 5: Portions of Lots 1,2, NESW, SWSW, N2SE, SESE 7: Portions of Lots 2, 4, W2NE, SENE, E2W2, SE 8: Portions of NWNE, S2NE, N2SW
01-05-58	T. 141 N, R. 102 W, 5 TH PM sec. 10: Portions of N2NE 11: Portions of NENE, W2NE, N2NW, SENW, S2 15: Portions of NE, NENW, S2NW, NWSW, SE
01-05-59	T. 141 N, R. 102 W, 5 TH PM sec. 10: Portions of S2SW, SESE 14: Portions of SWNW, N2SW, NWSE
01-05-60	T. 141 N, R. 102 W, 5 TH PM sec. 32: Portions of SESE 33: Portions of NESW
01-05-61	T. 142 N, R. 102, W 5 TH PM sec. 2: Portion of Lot 11 20: Portions of E2NE, W2NW
01-05-62	T. 142 N, R. 102 W, 5 TH PM sec. 23: Portions of Lot 11
01-05-63	T. 142 N, R. 102 W, 5 TH PM sec. 24: Portions of SESE

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-64	T. 142 N, R. 102 W, 5 TH PM sec. 30: Portions of NWNE, SENW, NESW
01-05-65	T. 143 N, R. 102 W, 5 TH PM sec. 7: Portions of Lots 3, 4, E2SW,
01-05-66	T. 143 N, R. 102 W, 5 TH PM sec. 8: Portions of Lots 2,5,6,8, NWNE, NW, W2SW 26: Portions of Lot 7 28: Portions of W2
01-05-67	T. 143 N, R. 102 W, 5 TH PM sec. 18: Portions of Lots 1,2,3 4, E2, E2W2
01-05-68	T. 143 N, R. 102 W, 5 TH PM sec. 22: Portion of Lot 6
01-05-70	T. 150 N, R. 103 W, 5 TH PM sec. 10: Portions of SWNE
01-05-73	T. 150 N, R. 103 W, 5 TH PM sec. 35: Portions of SESW
01-05-75	T. 145 N, R. 104 W, 5 TH PM sec. 14: Portions of NWNW, NWSE
01-05-77	T. 150 N, R. 104 W, 5 TH PM sec. 23: Portions of NWNE, NESE 24: Portions of Lot 2, SWNE NESW, N2SE
01-05-78	T. 147 N, R. 105 W, 5 TH PM sec. 2: Portions of SENE, SWNW, N2SW 3: Portions of Lot 5, SESE 11: Portions of W2NE
01-05-80	T. 148 N, R. 105 W, 5 TH PM sec. 27: Portions of Lots 1,2,3,4

For the purpose of:

Surface occupancy and use is prohibited on slopes greater than 40 percent to protect soil resources from loss of productivity, prevent erosion on steep slopes, soil mass movement, and resultant sedimentation. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Soils, number 6, and Appendix D-3.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-29	T. 149 N, R. 98 W, 5 TH PM sec. 25: Portions of SESE
01-05-30	T. 141 N, R. 100 W, 5 TH PM sec. 22: SESE; Portions of NESE, SWSE 26: NWNE, N2NW, SENW; Portions of E2NE, SWNE, N2SW, NWSE
01-05-31	T. 141 N, R. 100 W, 5 TH PM sec. 26: Portions of SWSW
01-05-43	T. 142 N, R. 101 W, 5 TH PM sec. 22: NE
01-05-45	T. 142 N, R. 101 W, 5 TH PM sec. 4: S2NE, SENW; Portions of Lots 1,2,3,4, SWNW
01-05-46	T. 142 N, R. 101 W, 5 TH PM sec. 22: N2SE; Portions of S2SE
01-05-47	T. 142 N, R. 101 W, 5 TH PM sec. 20: Portions of E2NE, NESE 30: Lots 3,4; Portions of Lot 2, SENE
01-05-48	T. 142 N, R. 101 W, 5 TH PM sec. 22: SENW; Portions of N2NW, SWNW, E2SW
01-05-49	T. 142 N, R. 101 W, S 5 TH PM sec 29: W2SW; Portions of SWNW, E2SW 30: Portions of SWNE
01-05-50	T. 142 N, R. 101 W, 5 TH PM sec. 32: NWNW; Portions of NENW, SWNW
01-05-51	T. 146 N, R. 101 W, 5 TH PM sec. 4: NWSE, SESE; Portions of Lots 3,4, SWNE, E2SW, SWSE 20: NWNE, N2NW, SENW; Portions of NENE, S2NE, SWNW, N2SW, NWSE

PARCEL NO.**LAND DESCRIPTIONS**

01-05-53	T. 146 N, R. 101 W, 5 TH PM sec 18: Lots 3, 4, SENW, E2SW, W2SE SESE; Portions of Lot 2, S2NE, NESE
01-05-55	T. 141 N, R. 102 W, 5 TH PM sec. 1: SESE; Portions of Lots 6,7; 12: Portions of NENE
01-05-56	T. 141 N, R. 102 W, 5 TH PM sec 8: W2NW; Portions of NENW, SWSW 18: Lot 2; Portions of Lot 1, E2NW
01-05-57	T. 141 N, R. 102 W, 5 TH PM sec 5: Portion of SWSW 7: NE, SENW, NESW, N2SE; Portions of Lots 1-4, NENW, SESW, S2SE 8: SENW, N2SW
01-05-64	T. 142 N, R. 102 W, 5 TH PM sec. 30: SENW, NESW, NWSE; Portions of Lot 1, NENW, E2SE
01-05-66	T. 143 N, R. 102 W, 5 TH PM sec. 26: Lot 7
01-05-70	T. 150 N, R. 103 W, 5 TH PM sec. 11: Portions of SESW,S2SE 12: Portions of SWSW
01-05-73	T. 150 N, R. 103 W, 5 TH PM sec. 35: Portions of E2SE
01-05-74	T. 145 N, R. 104 W, 5 TH PM sec. 14: SESE; Portions of NESE, SWSE
01-05-75	T. 145 N, R. 104 W, 5 th PM sec. 23: NENE; Portions of W2NE, SENE
01-05-77	T. 150 N, R. 104 W, 5 TH PM sec. 23: Portions of Lots 1, 8, SENE, NESE 24: Lots 2-7 Incl, SENW, N2SW, Portions S2NE, NENW, SWNW, NESE

For the purpose of:

No surface occupancy or use is allowed within 0.5 mile (line of sight) of golden eagle, merlin, and ferruginous hawk nests; to prevent reduced reproductive success and adverse habitat loss. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and Rare Plant, number 55, and Appendix D-11.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-42	T. 141 N, R. 101 W, 5 TH PM sec. 18: Portions of SESE
01-05-47	T. 142 N, R. 101 W, 5 TH PM sec. 30: The bed of the Little Missouri Rvr ripar to lot 4; Portions of Lots 3 and 4
01-05-55	T. 141 N, R. 102 W, 5 TH PM sec. 1: Lots 1,6,7; Portions of Lots 2,5, NWSE, SESE
01-05-61	T. 142 N, R. 102 W, 5 TH PM sec. 2: Lot 11, The bed of Little Missouri Rvr ripar to lot 11
01-05-62	T. 142 N, R. 102 W, 5 TH PM sec. 23: Portions of Lots 8,9,11,12; bed of river ripar to lots
01-05-66	T. 143 N, R. 102 W, 5 TH PM sec. 8: Lot 2; Portions of Lots 5,6, 8, NWNE, SENW 26: Lot 7
01-05-68	T. 143 N, R. 102 W, 5 TH PM sec. 22: Lots 7, 8, The bed of Little Missouri Rvr ripar to lots 4,6,7,8; Portions of Lots 4,6, NWSW

For the purpose of:

No surface occupancy or use is allowed within ¼ mile each side of the Little Missouri River, to maintain the recreation opportunities and settings within the river corridor. Refer to the Land and Resource Management Plan, Management Area Direction MA 4.22, River and Travel Corridors, Standards and Guidelines, Minerals and Energy Resources, number 2, and Appendix D-25.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-43	T. 142 N, R. 101 W, 5 TH PM sec. 10: NESW, N2SE
01-05-44	T. 142 N, R. 101 W, 5 TH PM sec. 10: N2N2, SENE, S2NW, NWSW
01-05-45	T. 142 N, R. 101 W, 5 TH PM sec. 4: Lots 1,2,3,4, S2N2

For the purpose of:

No surface occupancy or use is allowed within the established boundaries of Bear Den-Bur Oak, Cottonwood Creek Badlands, Little Missouri River, Mike's Creek, Ponderosa Pines, Limber Pine, and Two Top/Big Top Research Natural Areas; to maintain natural conditions for research purposes and protect against activities, which directly or indirectly modify the natural occurring ecological processes with the RNA. Refer to the Land and Resource Management Plan, Management Area Direction MA 2.2, Research Natural Areas, Standards and Guidelines, Minerals and Energy Resources, number 2, and Appendix D-21.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

R1-FS-2820-14-4

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-48	T. 142 N, R. 101 W, 5 TH PM sec. 34: SWSW; Portions of NWSW, SESW
01-05-50	T. 142 N, R. 101 W, 5 TH PM sec. 32: SWNW; Portions of N2NW, SENW, N2SW 33: S2SE; Portions of N2SE
01-05-58	T. 141 N, R. 102 W, 5 TH PM sec. 15: SWSE; Portions of N2SE, SESE

For the purpose of:

No surface occupancy or use is allowed within 0.25 mile (line of sight) of prairie falcon and burrowing owl nests to prevent reduced reproductive success and adverse habitat loss. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 55, and Appendix D-13.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

R1-FS-2820-14-5

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-58	T. 141 N, R. 102 W, 5 TH PM sec. 15: All
01-05-59	T. 141 N, R. 102 W, 5 TH PM sec. 10: S2S2

For the purpose of:

No surface occupancy or use is allowed within boundaries of backcountry non-motorized management areas to retain recreation opportunities in a natural-appearing landscape. Refer to the Land and Resource Management Plan, Management Area Direction MA 1.31 Backcountry Recreation Non-motorized, Standards and Guidelines, Minerals and Energy Resources, number 2, and Appendix D17.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

R1-FS-2820-14-6

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal sub-division or other description).

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-74	T. 145 N, R. 104 W, 5 TH PM sec. 3: Portions of SENE, E2SE 14: Portions of W2SE
01-05-75	T. 145 N, R. 104 W, 5 TH PM sec. 23: Portions of NWNE, NENW

For the purpose of:

No surface occupancy or use is allowed within 0.25 mile (line of sight) of a sharp-tailed grouse and sage grouse display ground to prevent abandonment of display grounds, reduced reproductive success, and adverse habitat loss. Refer to the Land and Resource Management Plan, Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 13, and Appendix D-14.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

R1-FS-2820-14-7

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation applies to drilling, testing, new construction projects, and does not apply to operation and maintenance of production facilities.

March 1 - June 15

Within 1 mile (line of sight) of active sharp-tailed grouse display grounds.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-30	T. 141 N, R. 100 W, 5 TH PM sec. 22: Portions of NESE
01-05-38	T. 144 N, R. 100 W, 5 TH PM sec. 26: Portions of N2NE
01-05-43	T. 142 N, R. 101 W, 5 TH PM sec. 10: NESW, S2SW; Portions of W2SE 22: Portions of NENE
01-05-44	T. 142 N, R. 101 W, 5 TH PM sec. 10: NWSW; Portions of S2NW
01-05-45	T. 142 N, R. 101 W, 5 TH PM sec. 8: Portions of E2SE
01-05-48	T. 142 N, R. 101 W, 5 TH PM sec. 22: N2NW
01-05-51	T. 146 N, R. 101 W, 5 TH PM sec. 10: SWSE; Portions of N2SE, SESE 20: N2NE; Portions of S2NE, N2NW, SENW
01-05-52	T. 146 N, R. 101 W, 5 TH PM sec. 6: Lots 1,2,3,4,7

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-53	T. 146 N, R. 101 W, 5 TH PM sec 8: NWNW, SESW; Portions of NENW SNNW, NESW, SWSW
01-05-54	T. 146 N, R. 101 W, 5 TH PM sec. 10: SW
01-05-72	T. 150 N, R. 103 W, 5 TH PM sec. 27: SENE, E2SE; Portions of NENE, NWSW, S2SW, W2SE
01-05-73	T. 150 N, R. 103 W, 5 TH PM sec. 35: W2SE; Portions of E2SE
01-05-74	T. 145 N, R. 104 W, 5 TH PM sec. 3: Lots 1,2,3, SWNE, SENW,E2SW, W2SE; Portions of Lot 4, SENE, SNNW, W2SW, E2SE 10: N2NE 14: N2, E2SE; Portions of W2SE
01-05-75	T. 145 N, R. 104 W, 5 TH PM sec. 23: NENE, NWNW, S2N2, N2S2; Portions of NWNW, NENW, S2S2
01-05-77	T. 150 N, R. 104 W, 5 TH PM sec. 23: Lots 1,7,8; Portions of NESE 24: Lot 5; Portion of Lot 4

For the purpose of:

To prevent abandonment of display grounds and reduced reproductive success.
Refer to the Land and Resource Management Plan Grassland-wide Direction,
Fish, Wildlife, and Rare Plants, number 15 and Appendix D-5.

Any changes to this stipulation will be made in accordance with the land use
plan and/or the regulatory provisions for such changes. (For guidance on the
use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and
2820.)

USDA Forest Service

R1-FS-2820-15-1
Page 2 of 2

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation applies to drilling, testing of wells, and new construction projects, and does not apply to operation and maintenance of production facilities.

October 16 - June 14

Limit on-lease activities (operation and maintenance of facilities) to the period from 10 a.m. to 4 p.m. except in emergency situations.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-51	T. 146 N, R. 101 W, 5 TH PM sec. 4: Lots 3, 4, SWNE, S2NW, SW, NWSE, S2SE 10: SE 14: SWNW 26: N2NE; Portions of S2NE, N2NW, SENW
01-05-52	T. 146 N, R. 101 W, 5 TH PM sec. 6: Lots 1,2,3,4,7
01-05-53	T. 146 N, R. 101 W, 5 TH PM sec. 8: NW; Portions of N2SW, SESW 18: Portions of Lot 1, NWNE NENW
01-05-54	T. 146 N, R. 101 W, 5 TH PM sec. 10: SW 24: Portions of W2E2
01-05-55	T. 141 N, R. 102 W, 5 TH PM sec. 1: Lots 3, 4, S2NW, NWSE; Portions of Lots 2,5,7; S2SE
01-05-56	T. 141 N, R. 102 W, 5 TH PM sec. 4: Lot 1, SENE; Portions of Lot 4, E2SE
01-05-57	T. 141 N, R. 102 W, 5 TH PM sec. 4: Lots 2,3, SWNE; Portions of SENW, NWSE
01-05-58	T. 141 N, R. 102 W, 5 TH PM sec. 10: Portions of N2NE 11: NE, N2NW; Portions of S2NW

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-62	T. 142 N, R. 102 W, 5 TH PM sec. 23: Lot 11; Portion of Lot 9
01-05-65	T. 143 N, R. 102 W, 5 TH PM sec. 7: Lots 3, 4, E2SW
01-05-66	T. 143 N, R. 102 W, 5 TH PM sec. 8: Lots 2,5,6,8, NWNE, NW, W2SW 28: W2
01-05-67	T. 143 N, R. 102 W, 5 TH PM sec. 18: Lots 1,2,3,4, E2, E2W2

For the purpose of:

To provide quality forage, cover, escape terrain and solitude for bighorn Sheep. Refer to the Land and Resource Management Plan MA 3.51B, Bighorn sheep Habitat with nonfederal ownership, Standards and Guidelines, Minerals and Energy Resources, number 1 and Appendix D-22 and Addendum, p. 51

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

R1-FS-2820-15-2
Page 2 of 2

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation applies to drilling and testing and new construction projects, and does not apply to operation or maintenance of production facilities.

April 1 through June 15

Within 1 mile (line of sight) of lambing areas.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-51	T. 146 N, R. 101 W, 5 TH PM sec. 20: All 28: N2
01-05-53	T. 146 N, R. 101 W, 5 TH PM sec 18: E2SE; Portions of E2NE, SWNE, W2SE
01-05-54	T. 146 N, R. 101 W, 5 TH PM sec 24: Portions of N2NE, SENE 28: SW, N2SE; Portions of S2SE
01-05-61	T. 142 N, R. 102, W, 5 TH PM sec 20: SENE, W2NW; Portions of NENE
01-05-62	T. 142 N, R. 102 W, 5 TH PM sec. 23: Portions of Lots 8,9, 11
01-05-64	T. 142 N, R. 102 W, 5 TH PM sec. 30: Lot 1, NWNE, E2NW, NESW, N2SE, SESE

For the purpose of:

To safeguard lamb survival and prevent bighorn sheep displacement from lambing area. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife, and Rare Plants, number 12 and Appendix D-7.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

May 1 - December 1

Surface use is prohibited with 0.25 miles of the established boundaries of Burning Coal Vein, Buffalo Gap, Sather Lake, CCC, Campgrounds and Summit, Whitetail Picnic Areas, and the 6 Maa Daa Hey Trail overnight camps; Wannagan, Roosevelt, Elkhorn, Magpie, Beicegel, and Bennett.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-58	T. 141 N, R. 102 W, 5 TH PM sec. 10: Portions of N2NE, NENW

For the purpose of:

To maintain the recreation opportunities and settings within the area surrounding campgrounds, picnic areas, and recreation trail overnights. Refer to the Land and Resource Management Plan Grassland-wide Direction, Minerals and Energy Resources number 13 and Appendix D-4.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

R1-FS-2820-15-4

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation applies to drilling and testing and new construction projects, and does not apply to operation and maintenance of production facilities.

March 1 - August 31

Within 0.125 mile (line of sight) of prairie dog colonies occupied or thought to be occupied by black-footed ferrets.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-70	T. 150 N, R. 103 W, 5 TH PM sec. 10: S2; Portions of S2N2 11: SW, W2SE; Portions of SENE, SNNW, E2SE
01-05-71	T. 150 N, R. 103 W, 5 TH PM sec. 11: Portions of SWNE, SENW
01-05-72	T. 150 N, R. 103 W, 5 TH PM sec. 27: All
01-05-73	T. 150 N, R. 103 W, 5 TH PM sec. 35: All
01-05-77	T. 150 N, R. 104 W, 5 TH PM sec. 24: Lot 7; Portions of Lot 2, N2SE

For the purpose of:

To protect ferrets when breeding and rearing young. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife and Rare Plants, number 23 and Appendix D-7.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

R1-FS-2820-15-5

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Try to locate activities and facilities away from the water's edge and outside the riparian areas, woody draws, wetlands, and floodplains. If necessary to locate facilities in these areas, then:

- Deposit no waste material (silt, sand, gravel, soil, slash, debris, chemical or other material) below high water lines, in riparian areas, in the areas immediately adjacent to riparian areas or in natural drainage ways (draws, land surface depressions or other areas where overland flow concentrates and flows directly into streams or lakes).
- Deposit no soil material in natural drainage ways.
- Locate the lower edge of disturbed or deposited soil banks outside the active floodplain.
- Stockpile no topsoil or any other disturbed soil in the active floodplain.
- Locate drilling mud pits outside riparian areas, wetlands and floodplains. If location is unavoidable in these areas, seal and dike all pits to prevent leakage or use containerized mud systems.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-29	T. 149 N, R. 98 W, 5 TH PM sec. 25: Portions of E2E2
01-05-30	T. 141 N, R. 100 W, 5 TH PM sec. 22: Portions of NESE, SWSE 26: Portions of SENE
01-05-31	T. 141 N, R. 100 W, 5 TH PM sec. 26: Portions of SESE
01-05-32	T. 142 N, R. 100 W, 5 TH PM sec. 4: Portions of Lot 3
01-05-33	T. 142 N, R. 100 W, 5 TH PM sec. 8: Portions of NE, N2SE, SESE
01-05-34	T. 142 N, R. 100 W, 5 TH PM sec. 9: Portions of N2NW, SENW, SW
01-05-35	T. 142 N, R. 100 W, 5 TH PM sec. 12: Portions of SENE, NESE

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-37	T. 144 N, R. 100 W, 5 TH PM sec. 20: Portions of NENE, NW
01-05-38	T. 144 N, R. 100 W, 5 TH PM sec. 26: Portions of NE, NWSE, S2SE
01-05-39	T. 141 N, R. 101 W, 5 TH PM sec. 11: Portions of SWNW
01-05-40	T. 141 N, R. 101 W, 5 TH PM sec. 14: Portions of NE
01-05-41	T. 141 N, R. 101 W, 5 TH PM sec. 14: Portions of NWNW, SENW
01-05-43	T. 142 N, R. 101 W, 5 TH PM sec. 1: Portions of NESW, S2SW, SE 10: Portions of E2SW, W2SE 22: Portions of NE
01-05-44	T. 142 N, R. 101 W, 5 TH PM sec. 2: Portions of SWNW, SW, NESE, S2SE 10: Portions of N2N2, SENE, S2NW, NWSW 12: Portions of W2NW
01-05-45	T. 142 N, R. 101 W, 5 TH PM sec. 4: Portions of Lots 1-4, S2N2 8: Portions of N2, N2SW, SWSW N2SE, SWSE 18: Portions of Lot 1, NENW
01-05-46	T. 142 N, R. 101 W, 5 TH PM sec. 18: Portions of NE, N2SE 22: Portions of SE
01-05-47	T. 142 N, R. 101 W, 5 TH PM sec. 20: Portions of NENE, NWNW, SWSW, NESE, S2SE 30: The bed of the Little Missouri Rivr ripar to Lot 4 Portions of Lots 1-4, N2NE, E2NW
01-05-48	T. 142 N, R. 101 W, 5 TH PM sec. 22: Portions of NW, N2SW, SESW 28: Portions of W2 34: Portions of NE, NENW, S2NW, SW, N2SE

PARCEL NO.**LAND DESCRIPTIONS**

01-05-49	T. 142 N, R. 101 W, 5 TH PM sec. 28: Portions of NE 29: Portions of All 30: Portions of SWNE
01-05-50	T. 142 N, R. 101 W, 5 TH PM sec. 32: Portions of NE, E2W2, SE 33: Portions of NENE, N2NW, SWNW, NWSW, S2S2, NESE
01-05-51	T. 146 N, R. 101 W, 5 TH PM sec. 4: Portions of Lot 3, SWNE, SWNW, SW, NWSE, S2SE 10: Portions of SE 14: Portions of SWNW 20: Portions of N2, N2SW, SE 26: Portions of N2, N2SW, SWSW, SE 28: Portions of NE, S2NW
01-05-52	T. 146 N, R. 101 W, 5 TH PM sec. 6: Portions of Lots 1,2,3,4,7
01-05-53	T. 146 N, R. 101 W, 5 TH PM sec. 8: Portions of W2 18: Portions of Lots 1,2,3,4, E2, E2W2
01-05-54	T. 146 N, R. 101 W, 5 TH PM sec. 10: Portions of SW 24: Portions of E2 28: Portions of SW, N2SE, SESE
01-05-55	T. 141 N, R. 102 W, 5 TH PM sec. 1: Lots 1, 6; Portions of Lots 2,3,4,5,7, S2NW, NWSE, S2SE
01-05-56	T. 141 N, R. 102 W, 5 TH PM sec. 4: Portions of Lots 1,4, SENE SWNW, NWSW, E2SE 8: Portions of W2NW, SWSW, NWSE, S2SE 18: Portions of Lots 1,2, N2NE, E2NW, E2SE
01-05-57	T. 141 N, R. 102 W, 5 TH PM sec. 4: Portions of Lots 2,3, SWNE, SENW, E2SW, NWSE 5: Portions of Lots 1-4, S2NE, S2SW, NESE, S2SE 7: Portions of Lots 1,2,4, W2NE, E2NW, SESW, SE 8: Portions of NENE, S2NE, SENW, N2SW, SESW

PARCEL NO.**LAND DESCRIPTIONS**

01-05-58	T. 141 N, R. 102 W, 5 TH PM sec. 10: Portions of NWNE, NENW 11: Portions of NWNE, S2NE, NW, S2 15: Portions of NE, N2NW, SENW, N2SW, SE
01-05-59	T. 141 N, R. 102 W, 5 TH PM sec. 10: Portions of S2S2 14: Portions of NESW, NWSE
01-05-60	T. 141 N, R. 102 W, 5 TH PM sec. 32: Portions of SESE 33: Portions of W2NW, SW
01-05-61	T. 142 N, R. 102 W, 5 TH PM sec. 2: Lot 11, The bed of Little Missouri Rvr ripar to Lot 11 20: Portions of E2NE, W2NW
01-05-62	T. 142 N, R. 102 W, 5 TH PM sec. 23: Lots 8, 9, 12, bed of the rvr ripar to lots 8,9,12; Portions of Lot 11
01-05-63	T. 142 N, R. 102 W, 5 TH PM sec. 24: Portions of SESE
01-05-64	T. 142 N, R. 102 W, 5 TH PM sec. 30: Portions of Lot 1, NWNE, E2NW, NESW, N2SE
01-05-65	T. 143 N, R. 102 W, 5 TH PM sec. 7: Portions of Lots 3, 4, E2SW
01-05-66	T. 143 N, R. 102 W, 5 TH PM sec. 8: Portions of Lots 2,5,6,8, NWNE, NW, W2SW 26: Lot 7 28: Portions of W2
01-05-67	T. 143 N, R. 102 W, 5 TH PM sec. 18: Portions of Lots 1,2,3,4, E2, E2W2
01-05-68	T. 143 N, R. 102 W, 5 TH PM sec. 22: Portions of Lots 4,6,7,8 NWSW

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-70	T. 150 N, R. 103 W, 5 TH PM sec. 10: Portions of SESW 11: Portions of SENE, NWNW
01-05-71	T. 150 N, R. 103 W, 5 TH PM sec. 11: Portions of SWNE, NENW
01-05-73	T. 150 N, R. 103 W, 5 TH PM sec. 35: Portions of SENE, N2SE
01-05-74	T. 145 N, R. 104 W, 5 TH PM sec. 3: Portions of Lots 3, 4, SWNW, NWSW, SWSE 10: Portions of N2NE 14: Portions of NENE, SWNE, S2NW. N2SE
01-05-75	T. 145 N, R. 104 W, 5 TH PM sec. 34: Portions of NENE 35: Portions of N2NW, SENW, SE
01-05-77	T. 150 N, R. 104 W, 5 TH PM sec. 23: Portions of Lot 1, N2NE 24: Portions of N2N2
01-05-78	T. 147 N, R. 105 W, 5 TH PM sec. 11: Portions of NENE, SWNE, S2NW 12: Portions of NW, E2SW

For the purpose of:

To protect the biological and hydrologic features of riparian areas, woody draws, wetlands, and floodplains. Refer to the Land and Resource Management Plan Grassland-wide Direction, Water, number 6 and Appendix D-2

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator, unless notified by the contrary by the BLM, shall:

- Contact the BLM to determine if a site-specific vertebrate paleontological inventory is required. If it is required, the operator must engage the services of a qualified paleontologist, acceptable to the BLM, to conduct the inventory. An acceptable inventory report is to be submitted to the BLM for review and approval at the time a surface-disturbing plan of operation is submitted.
- Implement mitigation measures required by the BLM to preserve, avoid, or recover vertebrate paleontological resources. Mitigation may include relocation of proposed facilities or other protective measures. All costs associated with the inventory and mitigation will be borne by the lessee or operator.
- The lessee or operator shall immediately bring to the attention of the BLM any vertebrate paleontological resources discovered as a result of surface operations under this lease, and shall leave such discoveries intact until directed to proceed by the BLM.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-31	T. 141 N, R. 100 W, 5 TH PM sec. 26: S2S2
01-05-32	T. 142 N, R. 100 W, 5 TH PM sec. 4: Lots 3, 4, S2NW
01-05-40	T. 141 N, R. 101 W, 5 TH PM sec. 14: NE
01-05-41	T. 141 N, R. 101 W, 5 TH PM sec. 14: N2NW, SENW
01-05-42	T. 141 N, R. 101 W, 5 TH PM sec. 18: SESE
01-05-46	T. 142 N, R. 101 W, 5 TH PM sec. 18: NE, N2SE 22: SE

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-61	T. 142 N, R. 102 W, 5 TH PM sec. 2: Lot 11, The bed of Little Missouri Rvr ripar to Lot 11 20: E2NE, W2NW
01-05-62	T. 142 N, R. 102 W, 5 TH PM sec. 23: Lots 8,9,11,12, bed of the Little Missouri Rvr ripar to lots 8,9,11,12
01-05-66	T. 143 N, R. 102 W, 5 TH PM sec. 26: Lot 7
01-05-68	T. 143 N, R. 102 W, 5 TH PM sec. 22: Lot 8, NWSW
01-05-76	T. 150 N, R. 104 W, 5 TH PM sec. 15: S2S2
01-05-79	T. 148 N, R. 105 W, 5 TH PM sec. 15: Lot 4; Portion of Lot 3, E2SE lying south of County Road 5 23: Portion of E2SW lying south of County Road 5

For the purpose of:

To protect key paleontological resources from disturbance, or mitigate the effects of disturbance to conserve scientific and interpretive values, and the interests of the surface owner.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

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CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Surface occupancy and use is subject to operational constraints to maintain a landscape character that is no more than slightly altered. Noticeable deviations must remain visually subordinate to the landscape character being viewed.

Operational constraints may include utilizing topographic/vegetative screening, matching color tones of facilities with surrounding topographic features, orienting the well pad/facilities, redesigning production facilities to such scale that they are visually subordinate to the landscape, or placing facilities outside the moderate SIO area.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-31	T. 141 N, R. 100 W, 5 TH PM sec. 26: Portions of SWSW
01-05-37	T. 144 N, R. 100 W, 5 TH PM sec. 20: N2
01-05-39	T. 141 N, R. 101 W, 5 TH PM sec. 11: SWNW
01-05-40	T. 141 N, R. 101 W, 5 TH PM sec. 14: NE
01-05-41	T. 141 N, R. 101 W, 5 TH PM sec. 14: N2NW, SENW
01-05-45	T. 142 N, R. 101 W, 5 TH PM sec. 18: Lot 1; Portions of NENW
01-05-46	T. 142 N, R. 101 W, 5 TH PM sec. 18: Portions of W2NE, N2SE
01-05-47	T. 142 N, R. 101 W, 5 TH PM sec. 30: Lots 1, 2, E2NW; Portions of Lots 3, 4 NWNE
01-05-48	T. 142 N, R. 101 W, 5 TH PM sec. 34: S2S2; Portions of N2S2
01-05-49	T. 142 N, R. 101 W, 5 TH PM sec. 29: Portions of SWSW 30: Portions of SWNE

PARCEL NO.**LAND DESCRIPTIONS**

01-05-50	T. 142 N, R. 101 W, 5 TH PM sec. 32: S2NW, N2S2, SESW, S2SE; Portions of S2NE, N2NW 33: SW, S2SE; Portions of S2NW, N2SE
01-05-51	T. 146 N, R. 101 W, 5 TH PM sec. 4: Portions of Lot 3, 4
01-05-52	T. 146 N, R. 101 W, 5 TH PM sec. 6: Lot 7; Portion of Lot 4
01-05-53	T. 146 N, R. 101 W, 5 TH PM sec. 18: Lots 1,2,3,4, NESW; Portions of SWNE, E2NW, SESW, NWSE
01-05-54	T. 146 N, R. 101 W, 5 TH PM sec 24: Portions of NENE
01-05-55	T. 141 N, R. 102 W, 5 TH PM sec. 1: Lots 3,4, S2NW; Portions of Lots 2,5, NWSE, S2SE 12: E2
01-05-56	T. 141 N, R. 102 W, 5 TH PM sec. 4: Lot 1, SENE; Portions of E2SE
01-05-58	T. 141 N, R. 102 W, 5 TH PM sec. 10: Portions of N2NE 11: NENE; Portions of NWNE, S2NE, N2NW
01-05-60	T. 141 N, R. 102 W, 5 TH PM sec. 33: E2NW; Portions of W2NW, N2SW, SESW
01-05-61	T. 142 N, R. 102 W, 5 TH PM sec. 20: E2NE, W2NW
01-05-62	T. 142 N, R. 102 W, 5 TH PM sec. 23: Portions of Lot 11
01-05-63	T. 142 N, R. 102 W, 5 TH PM sec. 24: SESE
01-05-65	T. 143 N, R. 102 W, 5 TH PM sec. 7: Lots 3, 4, E2SW

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-66	T. 143 N, R. 102 W, 5 TH PM sec. 8: SWNW, W2SW; Portions of Lots 5,6,8, N2NW, SENW 28: W2
01-05-67	T. 143 N, R. 102 W, 5 TH PM sec. 18: Lots 1,2,3,4, E2, E2W2
01-05-68	T. 143 N, R. 102 W, 5 TH PM sec. 22: Portions of Lots 4,6, NWSW

For the purpose of:

To maintain the Scenic Integrity Objective (SIO) for areas identified as **moderate**. Refer to the Land and Resource Management Plan Grassland-wide Direction, Scenery Management, number 1, and Appendix D-15 and D-28.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

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CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Surface occupancy and use is subject to operational constraints to maintain a landscape character intact. Deviations may be present but must repeat the form, line, color, texture, and pattern common to the landscape character so completely and to such scale that they are not evident.

Operational constraints may include utilizing topographic/vegetative screening, matching color tones of facilities with surrounding topographic features, orienting the well pad/facilities, redesigning production facilities to such scale that they may not be evident, or placing facilities outside the high SIO area.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-42	T. 141 N, R. 101 W, 5 TH PM sec. 18: SESE
01-05-43	T. 142 N, R. 101 W, 5 TH PM sec. 10: NESW, N2SE
01-05-44	T. 142 N, R. 101 W, 5 TH PM sec. 10: Portions of N2N2, SENE, S2NW, NWSW
01-05-45	T. 142 N, R. 101 W, 5 TH PM sec. 4: Lots 1-4, S2N2
01-05-47	T. 142 N, R. 101 W, 5 TH PM sec. 30: The bed of the Little Missouri Rvr ripar to Lot 4; Portion of Lots 3 and 4
01-05-55	T. 141 N, R. 102 W, 5 TH PM sec. 1: Lots 1,6,7; Portions of Lots 2,5, NWSE, S2SE
01-05-58	T. 141 N, R. 102 W, 5 TH PM sec. 15: All
01-05-59	T. 141 N, R. 102 W, 5 TH PM sec. 10: S2S2 14: SWNW, N2SW, NWSE

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-61	T. 142 N, R. 102 W, 5 TH PM sec. 2: Lot 11,
01-05-62	T. 142 N, R. 102 W, 5 TH PM sec. 23: Lots 8, 9, 12, bed of the Little Missouri Rvr ripar to Lots 8,9,12; Portions of Lot 11
01-05-66	T. 143 N, R. 102 W, 5 TH PM sec. 8: Lot 2, NWNE; Portions of Lots 5,6,8, N2NW, SENW 26: Lot 7
01-05-68	T. 143 N, R. 102 W, 5 TH PM sec. 22: Lots 7, 8; Portions of Lots 4,6, NWSW

For the purpose of:

To maintain the Scenic Integrity Objective (SIO) for areas identified as **high**
Refer to the Land and Resource Management Plan Grassland-wide Direction,
Scenery Management, number 1, and Appendix D-15 and D-28.

Any changes to this stipulation will be made in accordance with the land use
plan and/or the regulatory provisions for such changes. (For guidance on the
use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and
2820.)

USDA Forest Service

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CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

New developments, including new facilities, roads, and concentrations of humans, within 1 mile of bighorn sheep lambing areas may be moved or modified to be out of view of the lambing areas.

This stipulation applies to drilling and testing and new construction projects, not to operation or maintenance of production.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-51	T. 146 N, R. 101 W, 5 TH PM sec. 4: Lots 3,4, SWNE, S2NW, SW, NWSE, S2SE 10: SE 14: SWNW 26: N2NE; Portions of S2NE, N2NW, SENW
01-05-52	T. 146 N, R. 101 W, 5 TH PM sec. 6: Lots 1,2,3,4,7
01-05-53	T. 146 N, R. 101 W, 5 TH PM sec. 8: NW; Portions of N2SW, SESW 18: Portions of Lot 1, NWNE, NENW
01-05-54	T. 146 N, R. 101 W, 5 TH PM sec. 10: SW 24: Portions of W2E2
01-05-55	T. 141 N, R. 102 W, 5 TH PM sec. 1: Lots 3,4, S2NW, NWSE; Portions of Lots 2,5,7, S2SE
01-05-56	T. 141 N, R. 102 W, 5 TH PM sec. 4: Lot 1, SENE; Portion of E2SE
01-05-57	T. 141 N, R. 102 W, 5 TH PM sec. 4: Lots 2,3, SWNE; Portions of SENW, NWSE

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-58	T. 141 N, R. 102 W, 5 TH PM sec. 10: Portions of N2NE 11: NE, N2NW; Portions of S2NW
01-05-62	T. 142 N, R. 102 W, 5 TH PM sec. 23: Lot 11,; Portions of Lot 9
01-05-65	T. 143 N, R. 102 W, 5 TH PM sec. 7: Lots 3, 4, E2SW,
01-05-66	T. 143 N, R. 102 W, 5 TH PM sec. 8: Lots 2,5,6,8, NWNE, NW, W2SW 28: W2
01-05-67	T. 143 N, R. 102 W, 5 TH PM sec. 18: Lots 1,2,3,4, E2, E2W2

For the purpose of:

To safeguard lamb survival and prevent displacement of bighorn sheep from lambing areas by moving facilities. Refer to Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife and Rare Plants, number 12.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

USDA Forest Service

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CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Operations in prairie dog colonies known or thought to be occupied by black-footed ferrets are subject to the following constraints:

Limit oil and gas development to no more than one location per 160 acres aliquot parts of a section.

Access for routine maintenance of oil and gas facilities in prairie dog colonies is limited to daylight hours. This does not apply to emergency repairs.

If it's necessary to place a new road in a prairie dog colony, align the road to minimize habitat loss.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-70	T. 150 N, R. 103 W, 5 TH PM sec. 10: NESW, S2SW, SE; Portions of NWSW 11: SW, SWSE; Portions of N2SE, SESE
01-05-71	T. 150 N, R. 103 W, 5 TH PM sec. 11: Portions of SWNE, SENW
01-05-72	T. 150 N, R. 103 W, 5 TH PM sec. 27: All
01-05-73	T. 150 N, R. 103 W, 5 TH PM sec. 35: All
01-05-77	T. 150 N, R. 104 W, 5 TH PM sec. 24: Portions of Lots 2,7

For the purpose of:

To protect against activities that will adversely impact black-footed ferret reintroduction objectives. Refer to the Land and Resource Management Plan Grassland-wide Direction, Fish, Wildlife and Rare Plants, numbers 25, 26 and 27, and Management Area Direction, MA 3.63, Black-footed Ferret Reintroduction Habitat, Standards and Guidelines, Minerals and Energy Resources, numbers 4, and Appendix D-23.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

**USDA - FOREST SERVICE
THREATENED, ENDANGERED, AND SENSITIVE
PLANT OR ANIMAL SPECIES LEASE NOTICE**

The lease area may contain threatened and endangered species or habitat necessary for the continued existence of threatened, proposed, candidate or endangered species which are protected by the 1973 Endangered Species Act, as amended (16 USC 1531 et seq.) and implementing regulations (50 CFR 402 et seq.). The lease area may also contain habitat or species, which may require protective measures to prevent them from being listed as threatened or endangered; or result in a loss of viability or biological diversity (36 CFR 219.19 or 219.26). A biological evaluation of the leased lands may be required prior to surface disturbance to determine if endangered, threatened, proposed, candidate or sensitive plant or animal species or their habitat are present and to identify needed mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator shall:

1. Contact the Forest Service to determine if a biological evaluation is required. The Forest Service is responsible for ensuring that the leased land is examined through a biological evaluation, prior to undertaking any surface-disturbing activities, to determine effects upon any plant or animal species listed or proposed for listing as threatened, endangered, or a sensitive species.
2. The lessee or operator may choose to conduct the evaluation on the leased lands at their discretion and cost. This biological evaluation must be done by or under the supervision of a qualified biologist/botanist approved by the Forest Service. An acceptable report must be provided to the Forest Service identifying the anticipated effects of a proposed action on endangered, threatened, proposed, candidate or sensitive species. An acceptable biological evaluation is to be submitted to the Forest Service for review and approval no later than that time when an otherwise complete application for permit to drill or subsequent surface-disturbing operation is submitted.
3. Implement mitigation measures required by the Forest Service. Mitigation may include the relocation of proposed lease-related activities or other protective measures. The findings of the biological evaluation, analysis and consultation may result in restrictions to the operator's plans or even disallow use and occupancy to comply with the 1973 Endangered Species Act (as amended), threatened and endangered species regulations and Forest Service statutes and regulations.

If endangered, threatened, proposed, candidate or sensitive plant or animal species are discovered in the area after any required biological evaluation has concluded, an evaluation will be conducted to assess the effect of ongoing and proposed activities. Based on the conclusion drawn in the evaluation, additional restrictions or prohibitions may be imposed to protect the species or their habitats.

01-05-29 thru 30	01-05-47 thru 60	01-05-70 thru 75
01-05-33 thru 39	01-05-63 thru 68	01-05-77 thru 80
01-05-43 thru 45		

LEASE NOTICE

Roadless Area Conservation Rule

Lands contained in this lease are located in an inventoried roadless area subject to the rule entitled "Special Areas; Roadless Area Conservation Rule; Final Rule" published in the Federal Register on January 12, 2001. Operations such as road construction or reconstruction may be prohibited by the Roadless Area Conservation Rule or subsequent modifications thereof.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
01-05-50	T. 142 N, R. 101 W, 5 TH PM sec. 32: N2; NESE; Portions of N2SW, W2SE, SESE 33: N2, N2S2, S2SE; Portions of S2SW
01-05-59	T. 141 N, R. 102 W, 5 TH PM sec. 10: S2S2 14: SWNW, N2SW, NWSE

LEASE NOTICE

Roadless Area Conservation Rule

Lands contained in this lease are located in an inventoried roadless area subject to the rule entitled "Special Areas; Roadless Area Conservation Rule; Final Rule" published in the Federal Register on January 12, 2001. Operations such as road construction or reconstruction may be prohibited by the Roadless Area Conservation Rule or subsequent modifications thereof.

Specific exemptions are made at 36 CFR 294.12 for lands that were leased as of January 12, 2001. Land in this lease were previously leased as described below.

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>	<u>PREVIOUS LEASE</u>	<u>TERMINATION/ EXPIRATION DATE</u>
01-05-37	T. 144 N, R. 100 W, 5 TH PM sec, 20: N2	NDM 82802	02/2004 (T)
01-05-38	T. 144 N, R. 100 W, 5 TH PM sec. 26: NWNE; Portions E2NE, SWNE, NWSE	NDM 82081	04/2003 (E)
01-05-43	T. 142 N, R. 101 W, 5 TH PM sec. 22: NE	NDM 81902	02/2003 (E)
01-05-47	T. 142 N, R. 101 W, 5 TH PM sec. 20: SENE, W2NW, SWSW, NESE, S2SE 30: N2NE, E2NW; Portions of Lots 1,2	NDM 81770	12/2002 (E)
01-05-48	T. 142 N, R. 101 W, 5 TH PM sec. 22: W2 28: W2 34: All	NDM 81904 NDM 81903	02/2002 (R) 02/2003 (E)
01-05-49	T. 142 N, R. 101 W, 5 TH PM sec. 28: NE 29: All 30: SWNE	NDM 81902	02/2003 (E)
01-05-56	T. 141 N, R. 102 W, 5 TH PM sec. 4: Lot 4, SWNW W2SW; Portions of SESE 8: N2NW, SWNW, SWSW, SE 18: Lots 1,2; N2NE, E2NW	NDM 84385 NDM 84386	09/2000 (E) 09/2000 (E)

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<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>	<u>PREVIOUS LEASE</u>	<u>TERMINATION/ EXPIRATION DATE</u>
01-05-57	T. 141 N, R. 102 W, 5 TH PM sec. 4: Lot 3, SENW, E2SW, SWSE; Portions of Lot 2, SWNE, NWSE 5: Lots 1-4, S2N2, S2 7: Lots 1-4, E2, E2W2 8: NE, SENW, N2SW, SESW	NDM 90629	11/2002 (E)
01-05-58	T. 141 N, R. 102 W, 5 TH PM sec. 11: S2NW,S2; Portions of NWNE, S2NE, N2NW 15: All	NDM 90642	11/2002 (E)
01-05-64	T. 142 N, R. 102 W, 5 TH PM sec. 30: Lot 1, E2NW, NESW N2SE, SESE; Portions of NWNE	NDM 82823	2/2004 (E)
01-05-72	T. 150 N, R. 103 W, 5 TH PM sec. 27: All	NDM 83329	9/2003 (T)
01-05-73	T. 150 N, R. 103 W, 5 TH PM sec. 35: All	NDM 81420	8/2002 (E)